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ABSTRACT

The authorization for the Elementary and Secondary Education Act of 1965, Title I expired on June 30, 1974. In fulfilling its statutory obligation, the National Advisory Council on the Education of Disadvantaged Children focused its activities in 1973-74 on the review of programs and practices of those involved in the education of disadvantaged children in order to give knowledgeable recommendations affecting administrative and programmatic practices. Moreover, the experience gained in these reviews stimulated the development of the minimum recommendations which the council worked to incorporate in current legislative initiatives. The council explored and discussed these mandates at meetings with parents, community leaders, teachers and administrators at all levels. In 1973, the council brought all the State Title I coordinators together for the first time. The success of this meeting led to two subsequent meetings in 1974. The council also met with migrant coordinators, chief State school officers and representatives of school boards, administrators, teachers, and parents. In addition to exploring and discussing the legislative mandates, issues of importance relating to the following topics were addressed by the council after meeting with the individual groups: Title I formula, self-concept, staff development, school finance, bilingual programs focus, and technical assistance. (Author/JM)

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ANNUAL REPORT TO THE PRESIDENT AND THE CONGRESS/1974

Title I: Expanding Educational Growth

UD014716

NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN
425 Thirteenth Street NW./Suite 1012/Washington, D.C. 20004

ACKNOWLEDGMENTS

The members of the National Advisory Council on the Education of Disadvantaged Children express their deep appreciation for the hard work and dedication of the staff, not only in the preparation of this report, but also for their activities in helping to plan and coordinate the activities of the Council throughout the year.

Our special thanks to Mrs. Roberta Lovenheim, Executive Director; Mrs. Gloria Strickland, Research Assistant; Ms. Sarah Davidson, Research Assistant; Miss Anne Wassil, Administrative Officer and Mrs. Mary McKinney, Secretary.

We also acknowledge Dr. Richard Fairley, Director, Division of Education of the Disadvantaged, and Ms. Marion Hooker, U.S. Office of Education designee, for their support and cooperation.

Finally, our gratitude to the many parents, teachers, administrators, community leaders and legislators who met and talked with us throughout the year.

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NATIONAL ADVISORY COUNCIL ON THE EDUCATION
OF DISADVANTAGED CHILDREN
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March 31, 1974

Dear Sirs:

I am pleased to submit to you the 1974 Annual Report of the National Advisory Council on the Education of Disadvantaged Children.

Council members and staff have spent more time and study on these recommendations found in the 1974 Annual Report, met more often, and have had more active subcommittees than in any previous year of my service on the Council. We have also had the opportunity for frequent exchange with the standing committees in the Congress on our findings and recommendations.

The contents of this document reflect the requirements of the statutory obligation and current educational needs.

Twenty Council members participated in the preparation of the Report, and all of us join together in expressing our appreciation to you for the opportunity to serve you and America's disadvantaged children during this pivotal year in the development of federal educational policy.

Respectfully submitted,

Alfred Z. McElroy
Chairman

The President
The White House

Honorable Gerald R. Ford
President of the Senate

Honorable Carl B. Albert
Speaker of the House of Representatives

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I. LEGISLATIVE RECOMMENDATIONS

THE NATIONAL ADVISORY COUNCIL RECOMMENDS THAT:

1. School Finance

—The President's proposal for forward funding through the use of the fiscal year 1974 supplemental appropriation be adopted.

—New funds be made available under a separate title of ESEA to urban centers for raising the level of educational attainment of urban school-aged population to national levels.

—ESEA, Title I become a two-part program serving disadvantaged children:
Part A: This formula-grant would be funded at the fiscal year 1974 funding level of $1.4 billion, and serve the children eligible under the new formula developed by Congress in the extension of ESEA, Title I.
Part B: This matching grant would respond to States which have contributed monies to serve educationally disadvantaged children from any economic level, and would be matched by Federal allocations to a maximum of the amount the State will receive under Part A, utilizing a State plan reflecting local needs assessment to demonstrate the educational disadvantagement of the children eligible under this part.
(Part B potentially could add $2.8 billion to compensatory education efforts.)

—ESEA, Title I be expanded into a combination formula/matching grant as an incentive to States to contribute State funds to compensatory education efforts.

2. Title I Formula

—AFDC statistics which indicate those children from families with incomes in excess of the Orshansky Index be used in the Title I formula.
The formula should also provide that all deprived children from families with incomes the same as or lower than the Orshansky Index be eligible for services.

—The most recent data be used and data collection be requested more frequently in order that disadvantaged children be equitably served.

—Section 144, ESEA, Title I which would ensure that those children who are most economically deprived be served first, be retained.

3. Concentration of Title I funds

—Legislation set forth a procedure whereby the U.S. Office of Education be responsible for soliciting and approving State plans, establishing educationally defensible levels of concentration of funds which will not permit the dilution and dissipation of funds and services.

—Eligible children be served wherever they cluster in areas of high concentration of low income families.

—Funds be concentrated in order to maximize the use of the limited dollars available so that significant gains in performance of children are achieved.

4. Comparability of Services

—States be encouraged to spend State funds for compensatory education programs by excluding those State funds from comparability data.

—There be a comparability of services requirement to ensure that local monies are not supplanted by Federal funds.

5. ***Parent Involvement***

—Parent advisory councils be mandated to ensure local accountability to the parents of the children to be served.

—Local initiative be maintained and preserved so that programs be developed which meet the specific needs of educationally deprived children.

6. ***Compliance and Maintenance of Effort***

—Legislation require audits and mandate a maintenance of effort provision to monitor the expenditure of funds and to insure the supplementing and not supplanting of local funds and Federal resources.

7. ***Compliance***

—Program reviews be mandated which provide technical assistance and expertise to local administrators and States while ensuring that audits properly reflect the legislated intent.

—Adequate Federal fiscal review be included to account to the taxpayer for the proper expenditure of his tax dollar. Legislated procedures to correct errors must also be included, and negotiation steps must be outlined. Fiscal teams should include program specialists from the Division of Education for the Disadvantaged, Office of Education, so that program considerations which must affect fiscal determinations can be put in their proper perspective.

—That enforcement procedures be legislated to provide services for children when there is a breakdown in the Federal and local delivery system.

8. ***Program Review***

—Program reviews be mandated by the legislation which extends ESEA, Title I, in order to monitor the quality of educational service to children.

9. ***Migrant Education***

—A mechanism be devised to provide a minimum planning floor of 80 percent of the past year's allocation, and to have the Uniform Migrant Student Record Transfer System adjust the remaining 20 percent according to current fiscal year needs by reallocating to the States which demonstrate such need.

10. ***Access to Public Information***

—Public information access to Title I documents be mandated in order to provide appropriate data to the public to give them an opportunity to properly evaluate the success of the program, so long as individual student and personnel confidentiality is respected with regard to specific information.

—The public information provision be strengthened to include a provision which would protect students and personnel confidentiality in regard to specific information.

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II. ADMINISTRATIVE RECOMMENDATIONS

THE NATIONAL ADVISORY COUNCIL RECOMMENDS THAT:

1. ***Title I Formula***

—Services be provided to children who are one or more years behind grade level on standardized tests or criterion referenced tests of language arts skills and arithmetic skills.

2. ***Comparability of Services***

—An expanded definition of comparability of services include the concept of needs assessment in order that the child's special educational needs are met.

3. ***Compliance***

—Refunds be made in accordance with the U.S. Office of Education memorandum, dated August 10, 1973, providing that the monies will be spent for compensatory education on target Title I children.

—There be desegregation guidelines so that school districts which are engaged in the administration of desegregation plans can serve the participating children to avoid unnecessary resegregation.

4. ***Needs Assessment***

—An expanded definition of comparability of services include the concept of needs assessment in order that the child's special educational needs are met.

—In order to determine the special educational needs of eligible Title I children, parents should be actively involved.

5. ***Participating of Eligible Children Enrolled in Nonpublic Schools***

—The terminology which supports nonpublic school representation on boards and commissions read as follows:

"private nonprofit school officials who are knowledgeable, informed and involved in programs affecting the disadvantaged children enrolled nonpublic schools."

—A policy-level person be delegated to have the responsibility for the concern of eligible children attending nonpublic schools.

—State educational agencies be mandated to report in hard data form on the number of nonpublic school students being served and the dollar amount being expended for nonpublic programs. In the collection of this data, State educational agencies be required to verify the accuracy of the data being submitted with a nonpublic school official at the level of the local educational agency.

6. ***Services for Neglected and Deliquent Children in State and Local Institutions***

—The U.S. Office of Education and the State Title I coordinators and recipient State applicant agencies share the available data and make a composite of criteria for measuring success and a compilation of educational programs for delinquents in State and local institutions.

—Efforts be made to consolidate federally funded programs serving neglected and delinquent children in State and local institutions.

7. ***Migrant Education***

—There be maximum use of the Uniform Migrant Student Record Transfer System.

—The Uniform Migrant Sudent Record Transfer System also be utilized to accrue credits premised on residency for secondary school students who are children of agricultural migrant workers.

—The Migrant Branch of the Division of Education for the Disadvantaged report to the Council by June 30, 1974, the estimated amount it would cost the combined Federal and State Governments, if social services regulations provided for a supplemental stipend to migrant families whose children remain in school until graduation from high school.

8. Bilingual Education

—ESEA, Title VII be extended and expanded to meet the diversified language needs of children.

9. Staff Development

—Staff development be a necessary component of an adequate compensatory education program at the local educational agency level.

10. The Council recognizes the implementation of our past recommendation regarding audit exceptions. Misused Title I funds are not reallocated in eligible Title 1 children within the State and Local Educational Agency in which the exception occurred. This is the most equitable way of resolving audit exceptions.

11 The Council strongly supports the concept of vocational and career education as another important component of compensatory education which should be integrated into the total learning process of the elementary and secondary curriculum.

III. OVERVIEW

Summary of Council Activities

The authorization for the Elementary and Secondary Education Act of 1965 (ESEA), Title I expires on June 30, 1974. This is a crucial time for the nation's children and for those who are concerned with their welfare. The original objectives of Public Law 89–10 need no redefinition. Disadvantaged children must be helped. Congress must again ask who are the disadvantaged. Where are they? Why are they there? Most importantly, we must now ask, what do we know about assisting them and how can we best implement this knowledge.

Since the enactment of ESEA in 1965, there have been many local education innovations which have attempted to raise the educational attainment of disadvantaged children, some of which have had great success. The original legislation was designed to encourage local initiative in order to address specific problems and often resulted in a trial and error approach. However, we can now capitalize on the experience of this early experimentation. ESEA is being revised to reflect years of administrative and programmatic experiences. The revision must implement the reassessment of the Congress of Federal educational policy which serves disadvantaged children.

In fulfilling its statutory obligation, the National Advisory Council on the Education of Disadvantaged Children (NACEDC) has focused its activities in the past year on the review of programs and practices of those involved in the education of disadvantaged children in order to give knowledgeable recommendations affecting administrative and programmatic practices. Moreover, the experience gained in these reviews has stimulated the development of the minimum recommendations which the Council has worked to incorporate in current legislative initiatives:

1. Forward funding
2. Target schools and districtwide parent advisory councils
3. Comparability of services
4. Needs assessment
5. Concentration of Title I funds
6. Development and use of adequate data base to reflect current and accurate status of compensatory education
7. Periodic audits including examination of maintenance of effort and review of programs
8. A nonpublic school bypass
9. A general bypass
10. Use of the Uniform Migrant Student Record Transfer System (UMSRTS) for funding base
11. Services for neglected and delinquent children in State and local institutions
12. Maintenance of local initiative
13. Desegregation guidelines
14. Access to public information

The Council explored and discussed these mandates at meetings with parents, community leaders, teachers and administrators at all levels. These meetings focused on the issues brought to the Council and should be addressed in any compensatory legislation passed this year.

In 1973, the Council brought all the State Title I coordinators together for the first time. The success of this meeting led to two subsequent meetings in 1974 where the Council again benefited from the exchange of information and the opportunity to hear their concerns firsthand. The Council also met with migrant coordinators, chief State school officers and representatives of school boards, administrators, teachers and parents.

In addition to exploring and discussing the above mandates, the following issues of importance were addressed by the Council after meeting with the individual groups.

Title I Formula: There is controversy over the means of allocating the almost $2 billion among the States most equitably to serve the educationally deprived eligibles effectively.

Self-concept: In order to learn, children must have a positive image of themselves through successful patterns of learning experiences and exposures, and they must have the necessary basic skills in communication, socialization, reading, speaking, writing and mathematics.

Staff Development: The Council is particularly concerned with the problems in staff development and concludes that this must be a continuing part of the local educational agencies' educational program, focusing on what goes on in the classroom and planned jointly by teachers and administrators.

School Finance: The Council concluded, after discussing the urgent needs of the cities and the need for State funds for the priority of compensatory education spending, that funds should be available for urban incentive programs and for State matching proposals which would allow States to contribute funds to compensatory education for disadvantaged children.

Bilingual Programs Focus: Comparable educational services should be provided to children whose dominant language is not English and who are not achieving at grade level.

Technical Assistance: Local educational agencies should be provided with technical assistance from Federal and State levels on a regular and periodic basis.

IV. LEGISLATIVE REPORT

A. Background and Congressional Testimony

Several measures to extend and improve the delivery of educational services to deprived children were introduced in the 93d Congress. Council Chairman A. Z. McElroy was called to testify, once on the House bill to extend ESEA, and once on the introduction of the Better Schools Act in the Senate.[1] He reminded the Congress that the Council examined each provision in each pending bill to request that provisions be included which protect the educationally deprived child.

The Chairman testified before the House General Education Subcommittee on H.R. 69 (a bill designed to extend ESEA and H.R. 16, a school finance bill) at the request of the Committee Chairman, Congressman Carl Perkins, (D-KY). At this time, the Council Chairman listed nine mandates which Council felt should be included in any compensatory education legislation regardless of the title.

Nine Mandates:

1. *Comparability*

A statement that comparability of services paid for by local and State monies be mandated before Federal funds are used;

2. *Parent Advisory Councils*

A mandated Parent Advisory Council of parents of affected children at the district level to be involved in the development, operation, and evaluation of the compensatory programs;

3. *Public Information Access*

A mandate of public information requirements to be observed with respect by local educational agencies;

4. *Participation of Eligible Children Enrolled in Nonpublic Schools*

A mandated thoroughly detailed statement of cooperation with the nonpublic schools, ensuring that they have been involved in the planning, development, and operation of compensatory programs;

5. *Enforcement Procedures*

Mandated enforcement procedures by States and the Federal Government when there is a breakdown in the delivery of services to children;

6. *Maintenance of Local Initiative*

Maintenance of local initiative in developing programs to meet the specific needs of educationally deprived children, as long as parents of affected children have been actively involved in the needs assessment and the operation and evaluation of the program;

7. *Concentration*

Mandated concentration of funds so that services obtainable with available resources are not diluted beyond productive levels;

8. *Audits*

Adequate Federal fiscal review must be included to account to the taxpayer for the proper expenditure of his tax dollar. Legislated procedures to correct errors must also be outlined. Fiscal teams should include educators, so that program considerations, which must affect fiscal determinations can be put in their proper perspective;

9. *Desegregation*

And, a mandated provision that under desegregation plans, participating children continue to be served without unnecessary resegregation.

[1] See Appendix A, page 130.

The Council has also advocated and has testified in favor of forward funding and the extension of the NACEDC.

Testifying again before the Senate Committee on Labor and Public Welfare on August 1, 1973, at the request of DHEW Secretary Caspar Weinberger, the Chairman, reiterated the Council's earlier position, modified the Council's original mandates, and added additional mandates to the original list as he discussed the President's Better Schools Act bill.

Participation of Eligible Children Enrolled in Nonpublic Schools

The Council's recommendation regarding participation of eligible children enrolled in nonpublic schools was modified to read:

> A nonpublic school bypass, to provide relief in cases where the Assistant Secretary of Education determines that a district has failed to provide comparable services to eligible children enrolled in nonpublic schools.

Audits

Audits were modified to read:

> Fiscal audits and maintenance of effort, to monitor the accurate expenditure of funds according to the law, and to ensure the supplementing and not supplanting of local funds with Federal resources.

Migrant Program

After having met with Migrant Coordinators, Federal, State and local migrant officials, the Council saw the need to recommend a provision that would protect the educationally deprived migrant child. The migrant program should guarantee the nearly 500,000 migrant children equal educational opportunity through maximum use of the UMSRTS.

Program Review

While noting the numerous problems that States and local officials encountered because of insufficient technical assistance, the Council felt that a provision should be in the new legislation to recommend such services:

> Program reviews should be mandated, providing technical assistance and expertise to local administrators and States while ensuring that audits properly reflect the legislated intent.

Other Council Concerns Since the August 1, 1973, Testimony Staff Development

Council is particularly concerned with the problems in staff development and also concludes that this area must be a continuing part of the local educational agencies' educational program, focusing on what goes on in the classroom and planned jointly by teachers and administrators.

Handicapped

The services being provided to handicapped children should also include adequate Title I funding. The Council will review the expenditures and programs being administered to handicapped children during the coming year.

Grant Consolidation

In light of the renewed interest in consolidation of educational grants, the Council will study and report on the concept of grants consolidation of ESEA, Title I categorical aid designed to expand State and local initiative through local funding authority and program flexibility.

Neglected and Delinquent Children

The Council will study (1) the efforts to consolidate Federally funded programs serving neglected and delinquent children in State and local institutions; and (2) hard data on the number of children in State and local institutions receiving Title I services.

Vocational and Career Education

The Council strongly supports the concept of Vocational and Career education as being another important component of compensatory education which should be integrated into the total learning process of the elementary and secondary school curriculum.

New Legislation

The development of new compensatory education legislation does not occur each year. The 93d Congress has been faced with the task of developing new legislation for educationally deprived children because the ESEA of 1965, expired on June 30, 1973. Public Law 89–10

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stated that the duration of payments to State educational agencies for grants to local educational agencies which began on July 1, 1965, shall terminate on June 30, 1973.

Currently, ESEA is operating on an extension clause in the General Education Provision Act, Public Law 91–230, which states that if Congress has not acted by June 30, 1973, the authority for the continuation of the ESEA shall be automatically extended for another year, ending June 1974. Consequently, Congress must act on or before this date if we are to continue to provide uninterrupted compensatory education services to educationally deprived children.

A Brief Review of ESEA, Title I

The ESEA, 1965, was enacted by Public Law 89–10 with Title I being the largest program funded at $985 million. Approximately 78 percent of the ESEA appropriations have been expended on Title I programs. More than three-fourths of the Nation's local school districts receive funds under this Title.

In fiscal year 1971, $1,915,968,000, was appropriated for ESEA and $1,500,000,000 went to Title I. The following year, 1972, $2,025,778,000 was appropriated for ESEA and Title I was funded at $1,597,500,000. The Department of Health, Education and Welfare (DHEW) Appropriation Bill was finally passed by Congress and signed by the President on December 19, 1973, ending the uncertainty stemming from two years of operating programs on 90-day continuing resolutions. ESEA is currently funded at $1,810,000 for Title I, and the President's fiscal 1975 budget projects a $1,200,000,000 spending level.

In addition to appropriation metamorphosis, Title I also underwent numerous other changes. The original legislation require local educational agencies to have a minimum of 100 children or three percent of its total enrollment from low-income families. In 1966, Public Law 89–750 lowered that requirement to a minimum enrollment of ten eligible children.

The original legislation defined children eligible for allocation purposes (formula children) as those between the ages of 5 through 17 in families with annual incomes below $2,000 according to the 1960 census, and those in families with annual incomes above $2,000 receiving Aid to Families with Dependent Children (AFDC), Title IV of the Social Security Act. During the second year of operation, legislation required the use of more current AFDC data. The ESEA amendment of 1967, Public Law 90–247, required the number of children in foster homes, AFDC children, and neglected and delinquent to be included in the count for allocation purposes.

Consequently, eligible Title I children now fall into four categories: (1) children age 5–17 from families with annual incomes below $2,000; (2) children age 5–17 from families with annual incomes above $2,000 receiving AFDC; (3) children in State and local institutions for the neglected and/or delinquent and (4) children in foster homes supported by public funds.

The $3,000 low income factor was authorized to be used by the 1966 amendments for fiscal year 1968; however, Public Law 90–247, in 1967, nullified the effect of that change by stipulating that the $3,000 factor was not to be used until appropriations provided maxi-

NUMBER OF FORMULA CHILDREN ON WHICH ALLOCATIONS TO LOCAL EDUCATION AGENCIES WERE BASED, BY CATEGORY FISCAL YEARS 1966–1972[1]

Category	1966	1967	1968	1969	1970	1971	1972
Census	4,948,140	4,948,096	4,948,111	4,948,109	4,948,114	4,948,119	4,948,119
AFDC	582,578	857,651	1,211,652	1,501,513	1,780,566	2,236,600	2,921,631
Neglected-delinquent	NA	64,750	69,273	71,462	66,966	67,674	68,335
Foster homes	NA	148,695	148,695	144,302	156,622	161,910	171,416
Total	*5,530,718	*6,019,192	*6,377,731	6,665,386	6,952,268	7,414,303	8,109,501

[1] Office of Education publication, History of Title I, Pub. No. (OE) 73–07102.

mum grants used on the $2,000 figure. The 1970 amendments, Public Law 91–230, raised the low income factor to $4,000 for fiscal year 1973. These amendments further tied the income level of $2,000 to an annual appropriation of $1.5 billion for Title I. Children from families with incomes in excess of $2,000 could only be served after Title I appropriations exceed $1.5 billion. Up until 1974, this has not happened. Due to insufficient appropriations, children from families with annual incomes of $4,000 never received services.

Other Eligible Title I Children

Public Law 89–750 also expanded the original legislation to include provisions for services to Indian children (by payments to the Bureau of Indian Affairs (BIA), legislation states but does not mandate that up to three percent be set aside for BIA and the outlying U.S. territories), children of migrant agricultural workers, and children residing in State and local institutions for the neglected, delinquent, and handicapped children. These programs, except for BIA, are funded 100 percent off the top of ESEA, Title I appropriation and each year of expenditure varies depending on the appropriations.

B. Support of Council's Mandates

According to its statutory obligation, the Council examined the compensatory education legislation presented to the 93d Congress.

The Council examined the two major ESEA extension bills, H.R. 69 introduced by Congressman Carl Perkins (D-KY), which will be referred to as House bill to extend ESEA, and S. 1539 introduced by Senator Caliborne Pell (D-RI), which will be referred to as Senate bill to extend ESEA. As the Council scrutinized the bills, its concern was with the importance of their provisions rather than their titles.

Council studied Senate bill 1900, introduced by Senator Jacob Javits (R-NY), which is a general education reform bill, calling for major reform in the area of school finance.

Forward Funding

The President's proposal to forward funds through the use of the fiscal year 1974 supplemental appropriation should be adopted.

Forward funding is a must for improved and efficient planning for program and staffing, and for utilization of evaluations for making Title I programs more effective.

Parent Advisory Councils

Parent Advisory Councils be mandated to ensure local accountability to the parents of the children to be served.

The Council was pleased to note that parent advisory councils at each target school selected by the parents of participating children are no longer just a recommended component of the Title I program but are now mandated in the House bill to extend ESEA. In 1971, the Council recommended there be parent advisory councils in each of the local participating schools. The Council saw meaningful parent involvement as one of the most important keys to the successful achievement of equal educational opportunity for disadvantaged children.

Public Law 91–230 authorizes the Commissioner of Education to decide if parent participation would increase the effectiveness of Title I programs, and if so, to promulgate any necessary regulations to encourage parent participation.

Comparability of Services

The Council recommended that there be a comparability of services requirement to ensure that local monies are not supplanted by Federal funds.

Public Law 91–230 requires that before Title I funds can be allocated to an LEA, services to eligible students in designated Title I schools must be comparable to those services rendered to students in non-Title I schools in the district.

Audit exceptions reviewed this year noted that there still is a high incidence of supplanting funds. However, there has been a decrease in the use of Federal funds for construction,

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equipment and administrative charges to ESEA, Title I.

Concentration of Title I Funds

The Council recommended that funds be concentrated in order to maximize the use of the limited dollars available so that significant gains in performance of children are achieved.

The original statute, Public Law 89–10, states that Federal funds must be used in areas where there are high concentrations of children from low-income families or in schools enrolling a high concentration of children who are determined to be educationally deprived by the local educational agencies in accordance with the criteria established by the Commissioner of Education. The expenditure for this concentration must not be less than $2,500 in each local educational agency, except in cases where it is feasible for two or more local educational agencies to operate together.

It is unrealistic to Federally mandate a specific minimum $2,500 concentration of funds given the density of patterns of school district organization and population in the United States. The Council recommends that legislation and guidelines set forth a procedure whereby the U.S. Office of Education (USOE) will be responsible for soliciting and approving State plans. These plans should establish educationally defensible levels of concentration of funds which will not permit the dilution and dissipation of these funds and services.

Fiscal Audits and Maintenance of Effort

The Council recommended that the legislation require audits and mandate maintenance of effort provision to monitor the expenditure of funds and to insure the supplementing and not supplanting of local funds with Federal resources.

The Council has consistently viewed audits as a necessary part of the monitoring process and supports the provisions carried from the original legislation into the Senate and House extension bills.

The original legislation states that funds under Title I be used solely for programs and projects designed to meet the special educational needs of educationally deprived children and the previous legislation that States must give assurance in writing that these funds will be used in accordance with Federal guidelines.

The Javits bill, S. 1900 (a general aid bill known as The State Education Finance Assistance Act) proposes encouraging local initiative by using the concept of the "relative tax effort," whereby a State's allotment (Title I) would be modified by the overall tax effort of the State and its communities as compared to other States. The Council is in agreement with Senator Javits, that not only taxes collected for education but also taxes collected for other community services, i.e., health, housing, etc., are a key to determining a State's relative effort and ability to finance education.

Enforcement Procedures

The Council recommended that enforcement procedures be legislated to ensure that services to children are provided when there is a breakdown in the Federal and local delivery system.

The Council realized that often Title I eligible children do not receive services because there is a breakdown in the delivery of services either at the Federal or State level.

The Council notes that the original legislation, as amended, incorporated a provision which gives the Commissioner of Education the authority to withhold funds once he finds there has been a failure at the State level to use funds in accordance with the legislated intent. This authority is also given to States if they find that funds have been improperly used at the local level. This mandate is also carried over from the original legislation in both the Senate and House extension bills.

The Council finds that there are no current provisions in the legislation which provide services to children when there is a breakdown in the Federal and State delivery system, except in the cases of nonpublic and migrant school children. The Council urges the Congress to amend H.R. 69 on behalf of all participating educationally deprived children by including a general bypass similar to the nonpublic school bypass amendment which is currently in the House extension bill, or to implement the 1973 recommendations on the subject.[1]

[1] See 1973 Annual Report, page 2.

The Office of Education has issued a policy statement whereby States must design a plan for funds misspent prior to 1969. States are required to indicate how State funds will provide services previously denied to Title I eligible children due to fiscal error.[2] This policy is optional and the Council urges Congress to consider this statement as being part of the new statute.

Participation of Eligible Children Enrolled in Nonpublic Schools

The Council recommended that a nonpublic school bypass be mandated to provide relief in cases where the assistant secretary of education determines that a district has failed to provide comparable services to children enrolled in the private schools, or where States laws prohibit such services.

The Council recommended in its 1973 Annual Report that certain steps be taken to maximize the partnership between public and nonpublic schools serving disadvantaged children. Nonpublic school officials made the Council aware of the problems encountered when Federal and State laws are in conflict.

The House ESEA extension has included in its legislation a provision which would allow the Commissioner to bypass local educational agencies if they are prohibited by law to provide services to eligible children enrolled in nonpublic schools Title I on an equitable and comparable basis with public school children.

Migrant Programs

The Council recommends that there be maximum use of the uniform migrant student record transfer system.

The Council found that Congress did consider the unique situation of the migrant child and has included in the House bill a provision that requires the use of the Uniform Migrant Student Record Transfer System (UMSRTS) for the purpose of allocating funds.

Services to Neglected and Delinquent Children in State and Local Institutions

Council recommends that efforts be made to consolidate Federally funded programs serving neglected and delinquent children.

[2] See Audit Section, page 116.

The Council notes that Senate bill 821 introduced by Senator Birch Bayh, referred to as the *Juvenile Justice and Delinquency Prevention Act of 1973*, is being sent to the Senate. This bill seeks to improve the quality of juvenile justice and to provide a comprehensive, coordinated approach to the problems of juvenile delinquency.

Moreover, the Law Enforcement Administration Agency (LEAA) is required by the 1971 Amendment of the Juvenile Delinquency Act to develop a division to coordinate Federal programs for the delinquent population and has agreed to submit current data to the Council.

Maintenance of Local Initiative

The Council recommends that local initiative be maintained and preserved so that programs be developed which meet the specific needs of educationally deprived children.

Although Title I is a special categorical grant, the components which assure responsiveness to local initiative are parent involvement and local needs assessment, both of which are present in the House and Senate bills.

Needs Assessment

The Council recommends that in order to determine the special educational needs of eligible Title I children, parents should be actively involved.

There is a provision in H.R. 69 requiring parents to have an active role in determining the needs of eligible Title I children.

The definition of the "Comparability of Services Regulation" be expanded to include the concept that the child's special education needs are being met by State and local funds.

The two key provisions in current legislation or regulations to maintain local initiative are (1) district-wide and local parent advisory councils, and (2) individualized needs assessment which determines the development of programs to meet the specific identified needs of educationally deprived children.

Desegregation Guidelines

The Council recommends guidelines concerning desegregation so that school districts which

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are engaged in the administration of desegregation plans can serve the participating children to avoid unnecessary resegregation.

Title VI of the Civil Rights Act of 1964 has been carried over in the extension of ESEA. This Title mandates that no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation, be denied the benefits, or be subject to discrimination under any program or activity receiving Federal financial assistance.

The Emergency School Aid Act (ESAA), a program designed to prevent minority group isolation, Public Law 92–318, has provisions which allows for educationally deprived children to continue to receive Title I type services (remedial) once he enters a desegregated school. A provision is also in the ESAA preventing the resegregation of the educationally deprived child when he is separated from his new class for remedial type services. The Council believes these eligible children should be defined clearly so that ESEA, Title I amendments do not conflict with the ESAA amendments.

Fiscal Program Review

Adequate Federal fiscal review must be included to account to the taxpayer for the proper expenditure of his tax dollar. Legislated procedures to correct errors must also be included, and negotiation steps must be outlined. Fiscal teams should include a program specialist from th Division of Education for the Disadvantaged, Office of Education, so that program considerations, which must affect fiscal determinations can be put in their proper perspective.

An attempt is being made to accomplish this administratively, despite constraints placed by the Division of Education for the Disadvantaged staff ceilings.

Public Information Access

Public information access to Title I documents should be mandated in order to provide appropriate data to the public to give them an opportunity to properly evaluate the success of the program, so long as individual student and personnel confidentiality is respected with regard to specific information.

The House extension bill, ESEA, provides access to the appropriate information by parent advisory councils. The original legislation requires local educational agencies to make available to parents and members of the general public the application and all pertinent information. This provision is reflected in both the Senate and House bills.

The Council recommends that this provision be strengthened to include a provision which would protect students and personnel confidentiality in regard to specific information.

C. State Spending of General Revenue Sharing

Need for Flexibility

Public Law 92–512, the General Revenue Sharing Act, was signed by the President in October 1972. The provision of this Act has allocated approximately $30.2 billion to more than 38,000 State and local government units over a period of five years. This new legislation is designed to give State and local government units flexibility in spending their funds according to their individual needs. An Office of Revenue Sharing has been established in the Department of the Treasury to implement the provisions of this Act. State and local government units are prohibited from using general revenue sharing funds to match other Federal funds and both units of government are required to be in compliance with Federal nondiscrimination laws and the Davis-Bacon Act.

One-third of State governments general revenue sharing funds can be set aside for State discretionary use. This setaside can be used by States for education, if they so desire, and the Council encourages States to use a portion of this one-third setaside for education programs for the educationally deprived children.

State governments can use their general revenue sharing funds for operating and maintenance or for capital expenditures without categorical restrictions. But local governments must use the general revenue sharing funds for operating and maintenance in one or more of the eight priority categories.

State Government Units

As of June 30, 1973, States had expended approximately 65 percent of their funds for education even though they are not bound by priority categories.

Local Government Units

Two-thirds of the general revenue sharing funds are allotted to local government units. However, the Act specifies that these funds must be used for priority expenditures only and defines a priority expenditure as: (1) ordinary and necessary maintenance and operating expenses for public safety, environmental protection, public transportation, health, recreation, libraries, social services for the poor or aged, and financial administration; and (2) ordinary and necessary capital expenditures authorized by law.

As of January 1973, the Office of Revenue Sharing requires State and local government units to submit a State Planned Use Report indicating the anticipated use of their revenue sharing funds. By June 30, 1973, approximately 42.5 percent of the disbursed $6.6 billion of General Revenue Sharing funds had been expended by State and local government units. State and local government units receive their revenue sharing checks in seven entitlement periods according to the following schedule:

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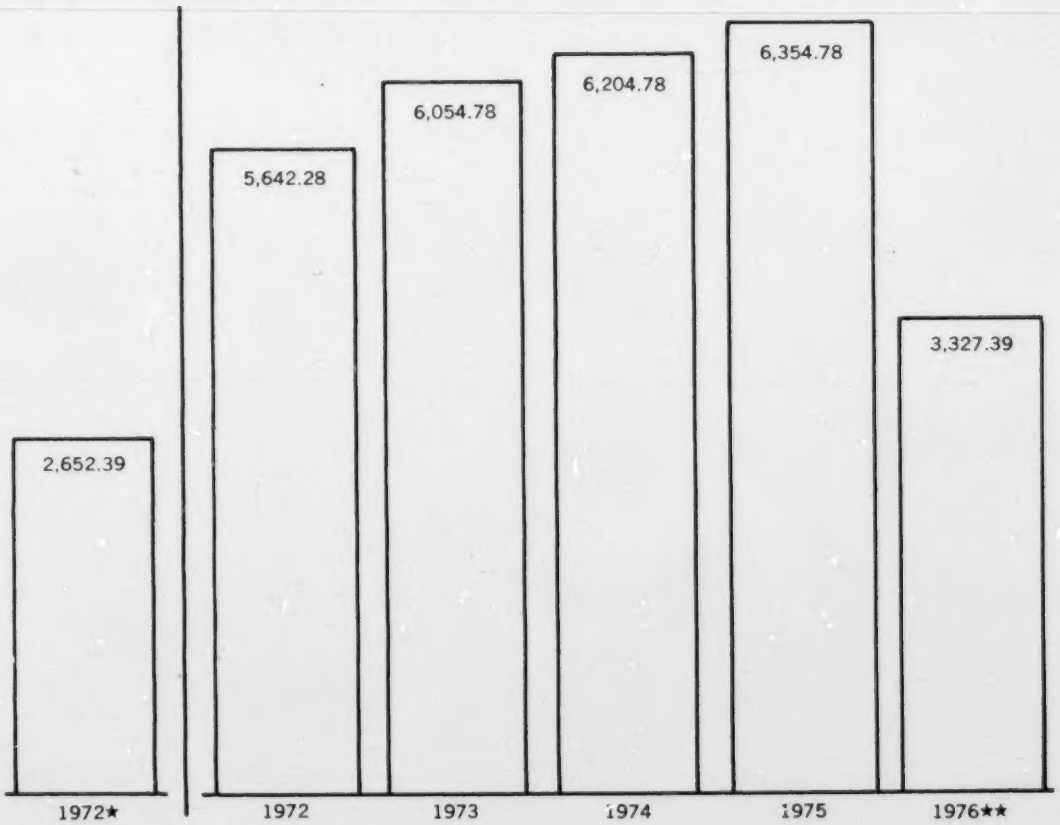
FIVE YEARS OF REVENUE SHARING [1]

(in billions)



Entitlement Period	Dates	Amount Appropriated
Period 1	1/1/72–6/30/72	$2.650 Billion
Period 2	7/1/72–12/31/72	2.650 Billion
Period 3	1/1/72–6/30/73	2.988 Billion
Period 4	7/1/73–6/30/74	6.050 Billion
Period 5	7/1/74–6/30/75	6.200 Billion
Period 6	7/1/75–6/30/76	6.350 Billion
Period 7	7/1/76–12/31/76	3.325 Billion

[1] U.S. Treasury, Office of Revenue Sharing, March 1974.

★January 1, 1972 through June 30, 1972
★★July 1, 1976, through December 31, 1976

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According to the Office of Revenue Sharing, out of 50 States and the District of Columbia, 39 made the category of education their priority expenditure. During the first six months, approximately 39 percent of the total revenue sharing funds had been spent on education. Since the educational expenditures comprised the major part of State and local governments' budget, the Council is interested in analyzing the reports of State Planned Use and early expenditures required under this Act. Local governments are prohibited from spending their two-thirds portion of the general revenue sharing funds for education purposes, but States are allowed to use discretion in expending the one-third portion of their funds. The Council would like to learn whether all States would consider education to be a priority expenditure, when Federal funds are allocated with flexible guidelines.

The following tables reflect the total range of categories State and local government units used to expend general revenue sharing funds as of June 30, 1973.

REPORTED ACTUAL USE OF GENERAL REVENUE SHARING: BY TYPE OF LOCAL GOVERNMENT[1]

(in millions of dollars)

	Unit of Government									
	Counties (N = 2,876)					Cities (N = 15,785)				
	Operating and Maintenance		Capital			Operating and Maintenance		Capital		
Category	Amount Expended	Percent of Category Expended	Amount Expended	Percent of Category Expended	Percent of Total Funds Expended	Amount Expended	Percent of Category Expended	Amount Expended	Percent of Category Expended	Percent of Total Funds Expended
Public Safety	$99.9	69%	$49.7	33%	23%	$343.0	79%	$91.0	21%	44%
Environmental/ Protection	16.6	42%	23.4	59%	6%	65.8	52%	60.2	48%	13%
Public Transportation	61.0	38%	100.5	62%	25%	55.6	37%	93.1	63%	15%
Health	46.6	60%	31.0	40%	12%	21.0	42%	29.3	58%	5%
Recreation/ Culture	8.6	29%	20.8	71%	5%	22.8	30%	53.8	70%	8%
Libraries	6.3	100%	—0—	—0—	1%	10.4	100%	—0—	—0—	1%
Social Services for the Poor or Aged	17.5	100%	—0—	—0—	2%	11.7	100%	—0—	—0—	1%
Financial Administration	30.3	100%	—0—	—0—	5%	16.0	100%	—0—	—0—	2%
Education*	—0—	—0—	16.3	100%	2%	—0—	—0—	4.7	100%	—0—
Multi-Purpose/ General Government*	—0—	—0—	97.6	100%	15%	—0—	—0—	65.7	100%	7%
Social Development*	—0—	—0—	6.0	100%	1%	—0—	—0—	3.1	100%	—0—
Housing/ Community Development*	—0—	—0—	8.3	100%	1%	—0—	—0—	14.4	100%	2%
Economic Development*	—0—	—0—	1.8	100%	—0—	—0—	—0—	7.3	100%	1%
Other*	—0—	—0—	12.5	100%	2%	—0—	—0—	8.6	100%	1%
Totals	$286.8	44%	$367.9	56%	100%	$546.3	56%	$431.2	44%	100%

Counties:		Cities:	
Total Amount disbursed	$1688.8	Total Amount Disbursed	$2357.8
Total Amount Expended	$654.7	Total Amount Expended	$977.5
Percent Expended	38.8	Percent Expended	41.5

*These are not allowable categories of operating and maintenance expenditure for local governments: they are allowable for ordinary and necessary capital expenditures.

[1] U.S. Treasury, Office of Revenue Sharing, March 1974.

REPORTED ACTUAL USE OF GENERAL REVENUE SHARING:[1]
STATE GOVERNMENT — 12/31/72-6/30/73
(in millions of dollars)

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Category	Operating and Maintenance			Capital			
	Amount Expended	Percent of Category Expended	Percent for New Services	Amount Expended	Percent of Category Expended	Total Amount Expended	Percent of Total Funds Expended
Public Safety	$15.1	76%	2%	$4.9	24%	$20.0	2%
Environmental Protection/Conservation	1.3	18%	7%	6.1	82%	7.4	1%
Public Transporation	45.5	82%	—0—	10.1	18%	55.6	5%
Health	28.0	91%	—0—	2.7	9%	30.7	3%
Recreation/Culture	1.4	38%	—0—	2.3	62%	3.7	—0—
Libraries*	—0—	—0—	—0—	—0—	—0—	—0—	—0—
Social Services for the Poor or Aged	57.5	94%	7%	3.7	6%	61.2	6%
Financial Administration	18.5	100%	48%	—0—	—0—	18.5	2%
Education	643.0	97%	39%	21.3	3%	664.3	65%
Multi-Purpose/ General Government	—0—	—0—	—0—	5.9	100%	5.9	1%
Housing/Community Development	—0—	—0—	—0—	1.1	100%	1.1	—0—
Economic Development	—0—	—0—	—0—	2.2	100%	2.2	—0—
Other	148.8	98%	3%	3.1	2%	151.9	15%
Totals	$959.1	94%	28%	$63.4	6%	$1022.5	100%

State Governments:	
Total Amount Disbursed	$2256.0
Total Amount Expended	$1022.5
Percent Expended	45.3

*"Libraries" was not identified as a separate reporting category on the State Actual Use Report: any expenditures for Libraries would have been included in the "Other" category.

[1] U.S. Treasury, Office of Revenue Sharing, March 1974.

In our 1972 Annual Report, Council recommended that additional States contribute State funds to improve the education of disadvantaged children.[1] Since the Council is aware of the fact that the present funding levels are not adequate to service all disadvantaged children, the Council encourages the use of a portion of the one-third setaside to make additional funds available for compensatory education programs. Realizing the problems of the present comparability regulations, the Council also reiterates our recommendation in the 1972 Annual Report which stated that:

"States be encouraged to spend State funds for Compensatory Education Programs by excluding those State funds in comparability data."

[1] Annual Report to the President and the Congress, 1972 Educating the Disadvantaged Child: Where We Stand, page 44.

D. Title I Formula

The Council recommends the following components be present in any Title I formula in current legislation.

Economic Criteria

The rationale for having the formula on economic necessity was articulated in P.L. 89-10.

"Sec. 101. In recognition of special educational needs of children of low-income families and the impact that concentrations of low-income families have on the ability of local educational agencies to support adequate educational programs, the Congress hereby declares it to be the policy of the United States to provide financial assistance (as set forth in the following parts of this title) to local educational agencies serving areas with concentrations of children from low-income families to expand and improve their

educational programs by various means (including preschool programs) which contribute particularly to meeting the special educational needs of educationally deprived children."

The Council agrees with the premise that educational disadvantagement does occur at all socioeconomic levels, but believes that the resources required to deal with the problem are less available in areas of high concentrations of low income families. Therefore, the NACEDC emphasizes necessity of serving this priority group before serving other educationally disadvantaged children.

The Council has recommended the Orshansky Index as the best compromise for determining which economically deprived families should be eligible. The Index adjusts real income using the variables of family size, degree of urbanization, and relevancy to the economic climate of the country as a whole. It therefore presents a more accurate picture of relative economic disadvantagement. This is preferable to the current use of a minimum $2000 income floor because such a base does not take into account these variables. In FY 1974, under Orshansky, the amount for a family of four would average between $4,000–$5,000 as an income floor to be eligible for Title I services. The Council supports retaining Section 144 in ESEA, Title I which would ensure that those most economically deprived children are served first.

The Council is deeply concerned that large urban areas be protected against any losses from their current level of spending for compensatory education. The Council has developed a proposal to achieve this and it is discussed in the School Finance section.

Educational Criteria

The Council agrees that only educationally deprived children should be served from this lower income group, and has submitted its definition of educational disadvantagement in the *1973 Annual Report*, as follows:

"Educationally deprived children means those children who have need for special educational assistance or who have a dominant language other than English, so that their special needs must be met in order to raise the level of educational attainment to that appropriate for children of their age. The term includes children who are handicapped, or whose needs for special educational assistance result from poverty, neglected, delinquency, or cultural or linguistic isolation from the community at large."[1]

If standardized tests or criterion referenced tests of language arts and arithmetic skills are used to allocate Title I funds, they should not hamper the development of innovative program models. The Council recognizes that there are many ways to address these deficiencies and that the development of innovative, effective techniques are crucial. There is a restrictive trend among legislators, administrators, and others who work with programs for the disadvantaged to narrowly draw the educational criteria to determine the need for programs or to qualify a district to secure funds.

1970 Census Data

The Council recommends that eligible children be served wherever they cluster in areas of high concentration of low income families; it is vital that the most accurate and up-to-date statistics be used.

The Council wishes to go on record requesting the use of the most recent data and more frequent data collections from objective sources in order that disadvantaged children be equitably served.

AFDC statistics which indicate those children from families with income in excess of the Orshansky Index be used in the Title I Formula. The Formula should also provide that all deprived children from families with incomes the same as or lower than the Orshansky Index be eligible for services.

The NACEDC supports the usage of AFDC because it reflects high concentrations of economically disadvantaged children in urban areas. There are 4,402,359 children being served in urban settings. The Council does not argue the great need for service to rural eligible children, but in order to fulfill the intent of the legislation, the formula must accurately measure the areas of highest concentration of educationally disadvantaged children.

[1] NACEDC Annual Report, 1973, page 32.

E. School Finance

The Council has always taken the stand that there should be Federal funds to encourage State expenditures for compensatory education and the Council proposal has been expanded for this year's report.

In school year 1972–73, Federal expenditures for education were approximately 11 percent of the total educational expenditure in the United States. It has been projected that the Federal outlay for fiscal year 1975 will be $15.959 billion, $8.533 billion for national educational goals, $7.426 billion for education support for other purposes.

However, there are insufficient monies available from the Federal level to meet the need of compensatory education throughout the nation. It should not be the responsibility of the Federal Government alone to see that the full complement of disadvantaged children are educated with services funded by Federal dollars. State and local educational agencies do not have sufficient resources under the present tax structure to do the job. Therefore the Council has two recommendations which would serve to maximize the impact of the Federal dollar at the State and local level.

Urban Incentive Program

People living in urban areas pay more for services but receive less in terms of the dollar because of high prices and density of population. Approximately 60 percent of all eligible Title I children are served in urban areas.[1] The Chart in Appendix B delineates the urban participants in ESEA, Title I. Further, mayors and school superintendents testified last year before the House Committee on Education and Labor that they were serving only one-third of the children eligible for compensatory education services.

The Council believes that an incentive of Federal dollars must be made available for urban centers so that target communities which need special help can also receive dollars and leadership from the Federal level.

The Council recommends that new funds be made available under a separate title of ESEA to urban centers for raising the level of educational attainment of the urban school-age population to national levels.

This program should operate with a performance contracting approach, so that accountability for achievement of national levels of educational attainment by the school age population would be built in. There should be no less than a three-year period during which the measurement of the gains need reflect this growth, since it is unrealistic to expect so large a gain within one year.

Standardized tests would be utilized, as an objective measurement of gains, but these culturally inadequate instruments should not be the only means of accountability.

Further components of the program should include staff development innovation and evaluation models. Teachers of the educationally disadvantaged should assist in the implementation of the Urban Incentive Program. Methods which have proven unsuccessful should not be utilized in this program. Evaluation models must document the gains or losses made by participating eligible children.

The Urban Incentive Program would function through the established local educational agencies mechanism, but the local educational agencies would be permitted to contract with local, community-based organizations to deliver services, if it were determined that such an organization was the most effective vehicle for the service.

In the Urban Incentive Program, as with ESEA, Title I, the Title I districtwide parents advisory council should be utilized in program planning and development according to the model of the regulations on parent involvement for ESEA, Title I. The parent advisory councils, working together with the school board, should assist in needs assessment and evaluation of programs, so that the constituency being served by the program will have a channel through which to express its concerns for the successful operation of the Urban Incentive Program. If secondary school students are participating in the project, they too should be represented on the parent advisory councils.

[1] See Appendix B, page 166.

State Matching Proposal for ESEA, Title I

The NACEDC recommends that ESEA, Title I be expanded into a combination formula/matching grant, as an incentive to States to contribute State funds to compensatory education efforts.

The Council recommends utilizing the effort index described in Senator Javits' Bill, S. 1960, in order to equalize the impact of the Federally funded Urban Incentive Program. This index, derived from the report of the President's Commission on School Finance, includes relevant services provided by the community which affect educational performance, and which are occasionally funded from education programs; for example, health, welfare, and other social services.

The Council recommends that ESEA, Title I, become a two-part program serving disadvantaged children. [1]

Part A: This formula-grant would be funded at the fiscal year 1974 funding level of $1.4 billion, and will serve the children eligible under the new formula developed by Congress in the extension of ESEA, Title I.

Part B: This matching grant would respond to States which have contributed monies to serve educationally disadvantaged children from any economic level. It would be matched by Federal allocations to a maximum of the amount the State will receive under Part A, utilizing a State Plan reflecting local needs assessment to demonstrate the educational disadvantagement of the children eligible under this part.

[Part B potentially could add $2.8 billion to compensatory education efforts.]

Currently thirteen States have contributed some monies for compensatory education, and sixteen States have experience with funding compensatory programs with State funds.[1] With additional funds available under General Revenue Sharing in the one-third State setaside which could be used for compensatory education (i.e., California), it is possible for States to legislate up to $2 billion a year to compensatory efforts.

[General Revenue Sharing is available for five years at approximately $2 billion a year for the total States setaside.]

In addition, States could match local educational agencies funded efforts as an incentive. The Council recommended that programs developed under Part B could be a model for any State program to provide leadership to its local educational agencies.

Summary and Conclusion

With the apparent move from Federal funding of education through increased categorical grants, or through massive general aid legislation, the NACEDC is looking for additional alternative means of coordinating available resources to target children.

The Council respects the desire of local governmental units and districtwide parent advisory councils to determine the educational program most suited to the needs of the children to be served, and funding mechanisms which permit this local voice to function in this manner will be examined by the Council during the next report year.

The Council has observed from materials submitted to them and from heard testimony that approximately one-half of the eligible children are being served under the current formula. The proposals of the Council in this part are designed to channel more money to the priority of serving educationally disadvantaged children.

[1] See 1973 Annual Report.

[1] See Appendix B, page 162.

V. PROGRESS REPORT ON COMPENSATORY EDUCATION

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A. Compliance: Administrative Remedies and the Courts

One of the elements of a successful system is the mechanism for relief provided to those injured when the system breaks down. The United States Office of Education (USOE) has established administrative procedures to insure proper compliance with the act as well as the requirements of the Constitution in the expenditure of Title I funds. Agency regulations and programs outline the administrative remedies when these procedures break down. When the administrative remedies are exhausted without relief, complainants can finally turn to the courts; however, that recourse to the courts is lengthy and costly. Given the constitutency served by Title I, court action is an economically unrealistic and often untimely remedy. Therefore, the Council reiterates its recommendation.

That enforcement procedures be legislated to provide services to children when there is a breakdown in the Federal and local delivery system.

A general bypass provision needs to be incorporated into the new legislation as a practical alternative remedy to the courts.

USOE administrative procedures provide that prior to acceptance of Federal funds, States must give the Commissioner of Education the assurance that funds will be spent according to legislative requirements. They also must execute a continuing assurance (as required by 20 USC 241f) that they will enforce all obligations and protective assurances of the Local Educational Agencies (LEAs). When concerned citizens feel that their LEA is operating in violation of ESEA, Title I, they can resort to administrative remedies which have been established by USOE. First, a complaint can be filed with the State Educational Agency (SEA). The regulations require that the SEAs have these complaint procedures. If the SEA continues to fund a program that is in violation, USOE (after receiving a complaint) sends in a program review team. Complaints can also be filed directly with USOE. Attempts are then made to verify and ameliorate the complaint through correspondence, telephone contact, and on-site investigative personnel. This is often done at the time of the program review. There are intensive efforts to resolve the complainant's allegations by communication between the complainant, SEAs, LEA and USOE. When all administrative remedies are exhausted, the final appeal procedure is to the courts. The complainants can file a law suit against the LEA in order to bring reform and corrective action at all levels of Government (LEA, SEA, USOE).

Despite the difficulties cited above, many complaints have been brought against local educational agencies (also State educational agencies and the Federal Government as co-defendants) since 1965. However, due to early settlements on the part of the USOE program review teams, negotiations and agreements between SEAs and LEAs, only a fraction of that number have been articulated into law suits. This administrative action on the part of the Federal Government is to be commended.

The Council has collected and reviewed current legal suits that will undoubtedly have a significant impact on compensatory education.

Anna Barrera, et al *vs.* Huber Wheeler, et al, 73–62 United States Supreme Court, October 1972

This case raises the question of whether ESEA, Title I requires project services to be performed on the premises of nonpublic

schools and the constitutionality of such Federal services.

The defendants, the State Board of Education, allege that the Constitution of the State of Missouri prohibits the use of public teachers on private school premises. It further prohibits shared time or dual enrollment programs whereby the nonpublic school student can be brought into the public school during regular school hours to receive special instruction.

Citing a disparity of services in favor of public school children, Mrs. Barrera brought a suit in which she charged that her children were not receiving comparable or equitable services because of the inconvenience of having children participate in an after school program.

A U.S. District Court ruled that ESEA, Title I does not require the provision of public school teachers to nonpublic school premises during the school day and that all that was required was equal expenditure. The decision was appealed before the Eighth Circuit U.S. Court of Appeals, Kansas City, Missouri. The Appeals Court ruled in favor of Mrs. Barrera, charging the following inequities to disadvantaged children enrolled in the nonpublic schools:

"1. That ESEA, Title I law and regulations specifically provide for the comparable size, scope, and quality, for children enrolled in the nonpublic schools.

"2. That the defendant (the State School Commissioner and the State School Board) are not excused from compliance by relying upon their own interpretation of State law.

"3. That it is lawful and proper to provide these services.

"4. That the intention of Congress was that the local educational agencies provide the program design, and not the State agency.

"5. That ESEA requirements are not satisfied in the after school and summer programs to nonpublic school students (when regular school hour services are being provided to public school students).

"6. That there have been noncomparable expenditures and that the plaintiffs are entitled to relief."[1]

The State has now taken its appeal to the Supreme Court and arguments were held on January 16, 1973, and ruling is expected within a few months.

Carpenter *vs.* John Gardner (Former Secretary of DHEW), 42818, in the United States District Court for The Eastern District of Pennsylvania

Initiated back in 1967, the case is virtually identical to the *Barrera* vs. *Wheeler* suit.

Stating that Title I programs must be within the limitations of the Constitution, the plaintiffs, parents in Philadelphia, challenged the constitutionality of Title I and Title II services being provided on the premises of sectarian schools.

The suit asks that DHEW be prohibited from approving ESEA, Title I and Title II programs in excess of $10,000 if they are to be operated in whole or in part in religious or sectarian schools.

Currently stalled in the District Court of Philadelphia, the plaintiffs seem to be awaiting the outcome of the *Barrera* vs. *Wheeler* case which will have a definite bearing on their case.

Nicholson *vs.* Pittinger (State Department of Education et al), 721596, Philadelphia, Pa., Eastern District

In this ruling, U.S. District Judge Joseph Lord presiding over the U.S. District Court of Philadelphia on October 25, held the local educational agency to be in violation with regard to supplanting State and local funds, lack of comparability, concentration of funds and improper evaluation methods.

A stipulation was signed by the parties with the approval of ESEA, the Judge appointing a committee of three educators to review and assess Philadelphia's Title I program and recommend changes in, or termination of, any project. Dr. Norman Drachler, a former superintendent and presently Director of the Institute for Educational Development at George Washington University, serves on the committee and if the school district and the panel

[1] NACEDC 1973 Annual Report, "American Educationally Neglected," pp. 36–37.

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cannot or do not agree, the decision of Dr. Drachler will be final.

The State is restrained from making Title I payments and Title I carryover funds to the district for the school year 1973-74 if it is determined that the district has not carried out recommendations for changes in that year's program. The State in effect cannot give Philadelphia its share of Title I money without committee approval.

Charged with reviewing and evaluating reports and other data of the city's 1971-72 and 1972-73 Title I project, the committee must consult with all parties and make recommendations for changes in the 1973-74 programs on basis of review.

By June 30, 1974, the committee will have consulted with all parties on modifications for the 1974-75 project and directed the elimination of educational projects which have not in substantial part achieved the objectives in 1973-74. The committee expires July 31, 1974. The thrust of this decision represents an alternative method by which the court can enforce compliance. This method is now being reviewed by the Office of Education.

Natonabah, et al *vs.* Board of Education of The Gallup-McKinley County School District, et al, 8925, Albuquerque, New Mexico

The suit was a result of a class action brought on behalf of Navajo school children alleging that they had been deprived of their rights under the 14th Amendment. The Plaintiffs claimed that the local defendants had consistently allocated construction funds to benefit the non-Indian students and that the local defendants had failed to allocate operational funds fairly between Indian and non-Indian students. It was also alleged that ESEA, Title I and the Johnson O'Malley Act (Federal funds for school districts with large concentrations of Indian children who reside on nontaxable reservations) were being used as support programs and to supplant State and local funds.

The suit further alleged that between 1970-71, an overall disparity in excess of 5 percent in favor of non-Indian students existed and that the schools were overcrowded and many had not met the standards for State accreditation. Moreover, Indian childrens' achievement levels were far below State and national norms.

The district, in answer to the suit, said that the situation reflected nothing more than the urban rural dichotomy; however, the court did not agree and ruled that there had been a pattern of racial discrimination and segregation and that the district had failed to allocate per pupil expenditures on an equal basis throughout the district. The local defendants were required to submit a plan designed to overcome the disparities that existed because of unequal allocation of construction and operational funds.

The plaintiffs initially filed discrimination charges against the Federal Government as well as the local and State Educational Agencies. At the close of trial the plaintiffs moved for the dismissal of the charges against Federal defendants with respect to allegations of discrimination. The motion was granted and the United States later filed an *amicus curie* on the discrimination issue stating that the plaintiff had indeed been denied equal protection under the law. A hearing has been set for March 29, 1974, on the revised plan of the district to end discrimination.

Thomas Denetclarence, et al, *vs.* Board of Education Independent School District No. 22, et al, 8874, in the U.S. District Court of New Mexico

Identical in nature to the *Natonabah* vs. *Board of Education*, this suit was settled by stipulation.

The plaintiff, parents of Navajo Indian children, claimed that Title I funds had been spent in violation of program regulations, particularly those concerning supplanting and general aid. Federal defendants, DHEW Secretary Caspar Weinberger, and John Ottina, U.S. Commissioner of Education, had been charged with a failure to enforce regulations within their jurisdiction.

A Federal review team from the Office of Education made site visits to the school district in an effort to follow-up Federal investigative efforts that started in the fall of 1971. The Federal officials concluded from these visits that the State had been lax in carrying out its legislated duties and the plaintiffs' allegations were substantially true. Staff paid for

by Title I were used to perform general instructional duties and ineligible children were being served.

As a result of these findings, the Federal Government contemplated filing a cross-claim against the State and Local Educational Agency in order to seek specific compliance of program regulations. That effort was held in abeyance because of institution of settlement attempts and satisfactory agreement was reached in early 1974.

Lois Forrest, et al, *vs.* Ukiah Unified School District, et al, 72-1619 United States District Court for The Northern District of California

Filed on January 22, 1973, in the U.S. District Court, parents charged the Ukiah Unified School District with failing to conduct the district's Title I program in compliance with the program requirements established and regulations set up by the Federal Government.

According to the suit, the 1971-72 project and the project described in the 1972-73 application were inadequate with regard to planning and general aid, comparability and parent involvement. Title I funds had been used for non-Title I purposes and ineligible children had been served.

The district was criticized for its handling of its parent advisory council. Plaintiffs alleged that the existing parent advisory council had not had an opportunity to make recommendations regarding the needs of the student, to review application, etc. The district had, the suit further alleged, affirmatively attempted to stifle meaningful parent involvement in the project by discharging two school community coordinators for speaking at a meeting of the district Parent Advisory Council.

In April 1973 an on-sight review was conducted by the Office of Education (OE) in which it was determined that the parents' allegations were an accurate reflection of the operation of the program. Notice was given to the SEA to make appropriate corrections. As the law suit was progressing, OE deemed it appropriate to reevaluate its findings in February 1974 and a second program review was conducted. The results of this review are under consideration now and OE will shortly reach a conclusion regarding the operation of the Title I program in Ukiah and its position on this law suit in which the plaintiffs are asking that the Court enjoin permanently all defendants from administering the program in an illegal manner.

B. Outstanding Programs

The selection of outstanding programs for the purpose of highlighting effective means of delivering services to target children presents a difficult measurement problem. Local data, however sophisticated, is subjective, and standardized tests are insufficient measures of program objectives.

The Council will focus on three concerns (1) *the criteria* for selection of an outstanding project; (2) *the replicability* of this project; and (3) how the project met its stated *objectives and needs assessment.*

The standards for selection of an outstanding project are the NACEDC criteria outlined in the 1973 Annual Report to the President and Congress:*

1. Attendance of the students
2. Number of discipline problems
3. Mathematics achievement
4. Reading achievement
5. Parent attendance at meetings and affairs

The Council is cautious about setting up arbitrary and restrictive criteria from the Federal level. The NACEDC encourages local Educational Agencies to establish their own performance objectives based on their local needs assessment performed in conjunction with the parents of target children. There should be a better balance between initiatives emanating from local needs assessment and necessary federal priorities. Ultimately, the test must be whether the educational attainment of the children has been raised significantly and can be documented.

The replicability of outstanding programs is a quality which could assist other school districts in designing a program suited to the individual needs of target children and Local Educational Agency resources. However, here

*Note: USOE has other criteria for the designation of successful projects which are not incompatible with the above.

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again caution must be noted, so that the desire for model programs does not lead us to a national curriculum for compensatory education. The determining factor for utilizing programs in other settings should be the local needs assessment of target children.

The Council has voted to produce an interim report on outstanding programs which will contain our findings.

The Council has reviewed the following five projects and considers them to be outstanding:

1. Laser Program, Riverside, California

Sponsor:	Riverside Unified School District
Name of Project:	Learning Achievement through Saturated Educational Resources (LASER)
School Year:	1972–73
Number of Students Served:	915
Area of Concentration:	Reading and Mathematics Instruction
Significant Gains:	Reading—1.7 month per month Math—1.8 month per month

Program Description

The program was designed to provide assistance to all children who had scored in the lowest 25-50 percentile ranks on standardized tests. Procedure: Extra instructional assistance was provided in reading and mathematics by instructional aides who received in-service training (based on individual assessments of special strengths and needs).

For further information contact:

MR. E. RAY BERRY, *Superintendent*
Riverside Unified School District
Riverside, California

2. Staff Development, Dallas Texas

Sponsor:	Dallas Independent School District
Name of Project:	Staff Development
School Year:	1972–73
Number of Teachers	120 Title I Teachers
Area of Concentration:	Retraining teachers with new teaching strategies

Program Description

The program provided Title I teachers an opportunity to participate in extensive retraining programs in crosscultural experiences, emphasizing flexibility in teaching style, capacity for self-renewal, and receptivity to change which resulted in developing better understanding of innercity students. Procedure: Title I teachers were selected by their peer group and the school principal. Teachers share the experience gained with other staff personnel.

For further information contact:

DR. NOLAN ESTES, *Superintendent*
Dallas Independent School District
3700 Ross Avenue
Dallas, Texas 75202
(212) 824–1620

3. Reading Program, Frankfort, Kentucky

Sponsor:	Louisville Public Schools
Name of Project:	Diagnostic-Prescriptive-Individualized Primary Reading Program
School Year:	1972–73
Number of Children Served:	2,000 (Grades 1–3)
Area of Concentration:	Reading
Significant Gains:	1.5 month per month

Program Description

The program provides inner-city children in the primary grades with experiences to help them in learning to read. This in turn developed a positive attitude toward academic achievement.

For further information contact:

DR. NEWMAN WALKER, *Superintendent*
Louisville Public Schools
Capital Plaza Building
Frankfort, Kentucky 40601

4. Corrective Reading and Mathematics Instruction, New York

Sponsor:	New York City Board of Education
Name of Project:	Corrective Reading and Mathematics and Bilingual Program for Pregnant School Age Girls
School Year:	1972–73
Number of Students Served:	Approximately 1200
Area of Concentration:	Reading and Mathematics Instruction

Significant Gains:	Reading and Mathematics: 1.1 month per month Bilingual: Students scored higher on the English into Spanish test than the Spanish into English test.

Program Description

The program serving pregnant girls is geared to raising the reading and mathematics attainment two years or more and to provide instruction in Spanish in corrective reading and mathematics by a bilingual teacher.

For further information contact:

MR. GENE SATIN
New York City Board of Education
110 Livingston Street
Brooklyn, New York 11201
(212) 596–6695

5. Outstanding Programs, Lansing, Michigan

Sponsor:	State of Michigan Department of Education
School Year:	1972–73
Area of Concentration:	Reading

The following 55 schools have been identified as having successful Title I projects, indicating the month-per-month growth in reading and in the program.

School District	*Achievement Gains*
Holt Public Schools	2.9
Mt. Pleasant Public Schs.	2.6
Portage Twp. Schools	2 5
Clarkston Community Schs.	2.3
Rockford Public Schools	2.2
Marlette Community Schools	2.2
Homer Community Schools	2.1
West Iron Co. Public Schs.	2.0
Hillsdale Community Schs.	2.1
Sand Creek Comm. Schools	2.0
Hillman Community Schools	2.0
Sandusky Community Schs.	2.0
Highland Park Sch. Dist.	2.0
Gladstone Public Schools	2.0
Coloma Community Schools	2.0
Hartland Cons. Schools	2.0
South Lyon Comm. Schs.	2.0
Bessemer Twp. Schools	2.0
Eau Claire Public Schools	2.0
St. Johns Public Schools	1.9
Davison Community Schools	1.9
Lakeview School District	1.8
Waterford Twp. Schools	1.8
Bangor Twp. Schools	1.8
Tecumseh Public Schools	1.8
River Rouge School Dist.	1.8
Atlanta Community Schools	1.7
Oceana Inter. Sch. Dist.	1.7
St. Louis Public Schools	1.7
Galesburg-Augusta Schools	1.7
Athens Area Schools	1.7
Negaunee Public Schools	1.7
Paw Paw Public Schools	1.7
Dryden Community Schools	1.7
Lapeer Public Schools	1.7
Van Dyke Public Schools	1.7
Colon Community Schools	1.7
Ovid-Elsie Area Schools	1.7
Buena Vista School Dist.	1.7
Clare Public Schools	1.7
Hancock Public Schools	1.7
Howell Public Schools	1.7
Orchard View Sch. Dist.	1.7
Martin Public Schools	1.7
Reed City Public Schools	1.7
Plainwell Comm. Schools	1.6
Arenac-Eastern School	1.6
Alma Public Schools	1.6
Webberville Comm. Schools	1.6
Benzie Co. Central Schs.	1.6
Morrice Area Schools	1.6
Johannesburg-Lewiston Area Schools	1.6
Comstock Park Public Schs.	1.6
Harbor Springs Public Schools.	1.6
Marquette Public Schools	1.6

For further information contact:

DR. JOHN W. PORTER
Superintendent of Public Instruction
State of Michigan Department of Education
Lansing, Michigan 48902

In conclusion, the Council wishes to emphasize that the experience of ESEA, Title I served as a catalyst to improve the American educational system. Data requirements have made LEAs data and performance conscious. Evaluation requirements and review from the Federal and State levels have caused intensive self-examination leading to improving the quality of educatoin for target children and, as a by-product, all children.

Identification of projects which have fulfilled their goals and have resulted in significant gains for educationally disadvantaged children is as much a political process as it is a research procedure. The criteria utilized and the format for presentation communicates the degree of Federal intervention desired by the reviewers and the cognitive-affective skills mix desired by the reviewer from target children. Therefore, the Council concurs with the majority of educational researchers that measuring human performance is at best difficult.

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C. Program Review

Title I Program Reviews: A Longitudinal Analysis of State Assessment Criteria[1]

During the past three years, 13 critical program areas have been identified and reviewed by the Division on the Education of the Disadvantaged (DED) staff during annual Title I program reviews. In order to make an assessment of SEA progress, data was obtained from a review of documents at the SEA and LEA levels, onsite visits, and interviews with SEA and LEA staff.

The progress made by SEAs in complying with USOE criteria in each of the thirteen critical program areas are indicated in the graphs which follow.

The horizontal axis is the percentage score of SEAs in each program area. This percentage score is obtained by rating SEAs from one through five on each performance criterion to measure achievement in each program area. The ratings are then summed for each SEA. Within any of the thirteen programs areas, the highest score an SEA can achieve is computed by multiplying the number of performance criteria by "five" the highest possible rating. To determine an SEA's percentage score, the rating total is divided by the total number of possible points in each program area. The vertical axis is the number of States. These are plotted at each percentage interval for fiscal years 1971, 1972, and 1973. In the case of fiscal management, for example, there were three States falling within the 60-70 percentage interval in FY 1971, five States within the interval in FY 1972, and eighteen States in FY 1973.

Taken as a whole, the data indicates that 90 percent of the States have increased their ratings 20 percent or more in at least nine of the thirteen program areas under review from 1971 through 1973.

The NACEDC supports the concept of comparability. As data are collected in 1974, the Council will examine selected school districts which now receive Title I allotments to study compliance with comparability regulations.

The Office of Education reviews annually comparability status reports and makes site visits to spot check their validity. In 1973 when out of 12,785 participating LEAs, 3,903 were required (due to their size) to report comparability data. Of the 3,710 which actually reported, 3,666 were comparable. There were 193 which did not report, plus 44 which were not comparable, which makes a total of 237 not in compliance with the comparability regulations.

The following chart was prepared by DED and illustrates urban compliance with comparability requirements.

Survey of Comparability Status of 14 Large City School Districts

CITY	RECEIVED REPORT	ANALYZED	COMPARABLE
New York	X	X	X
Los Angeles	X	X	X
Chicago	No–1		
Philadelphia	No–2		
Detroit	No–3		
Dade County (Miami)	X	X	X
Houston	X	X	X
Baltimore	X	X	X
Dallas	X	X	X
Cleveland	X	X	X
District of Columbia	X	X	X
Memphis	X	X	X
San Diego	X	X	X
Columbus	X	X	X
14	11	11	11

1. Report expected in SEA by Feb. 1. No Title I funds have been obligated after Dec. 1, 1973.
2. Report expected in SEA by Jan. 21. No Title I funds have been obligated after Dec. 1, 1973.
3. Teacher strike prevented schools from opening on Schedule. Report expected in SEA by Jan. 19.

[1] Gleaned from an informal explanatory document provided by USOE.

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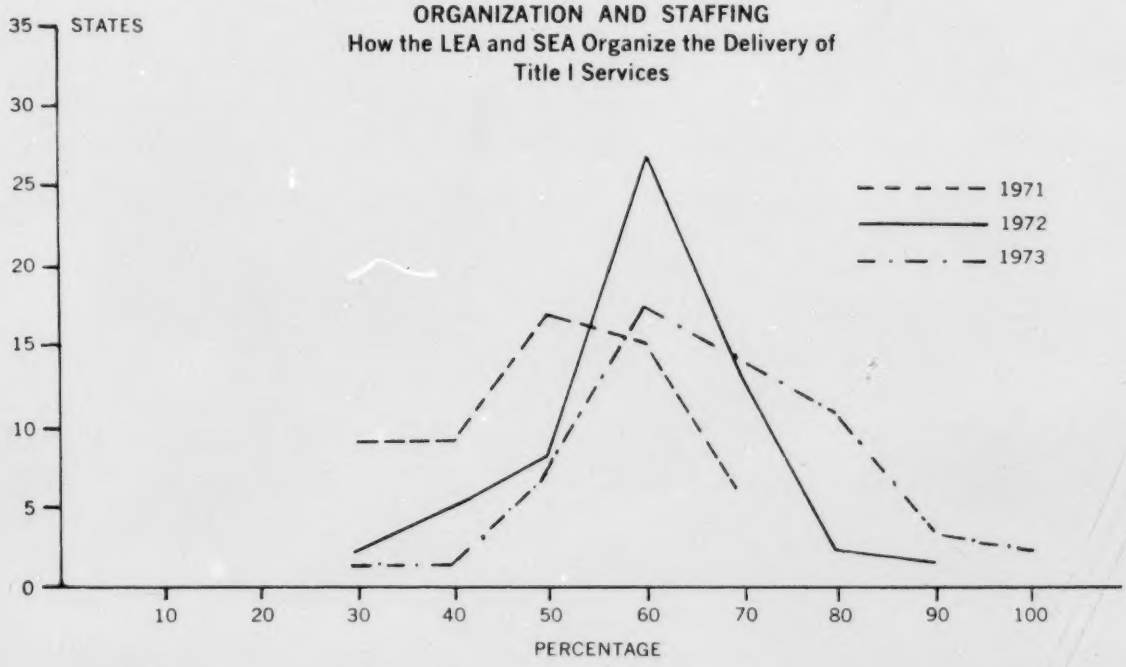

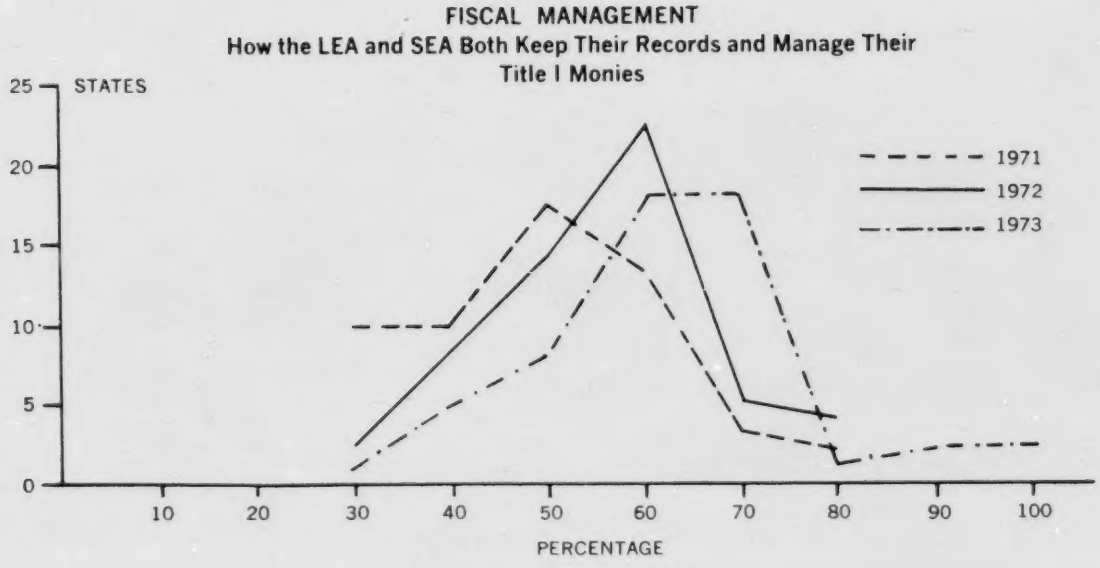

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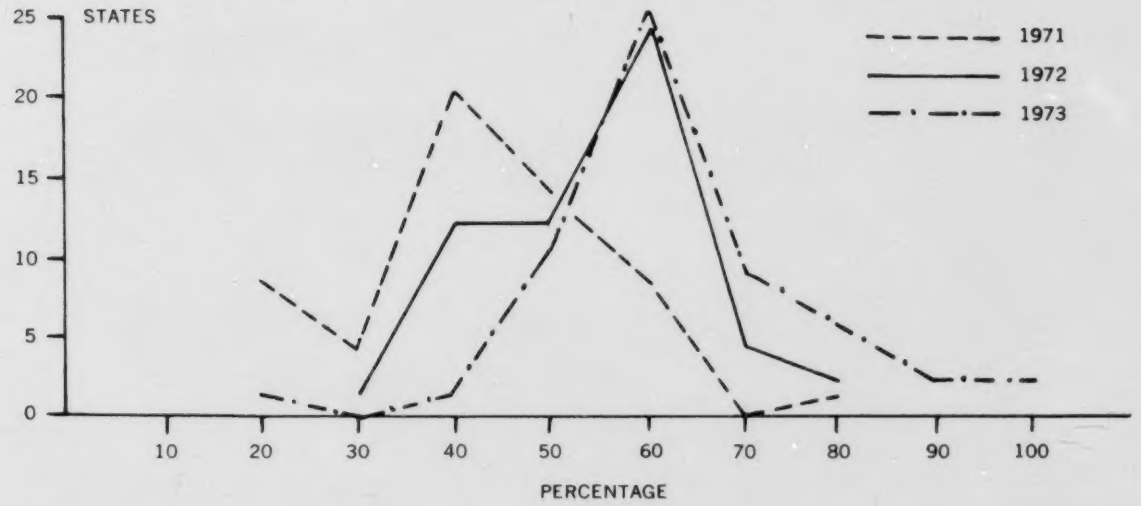
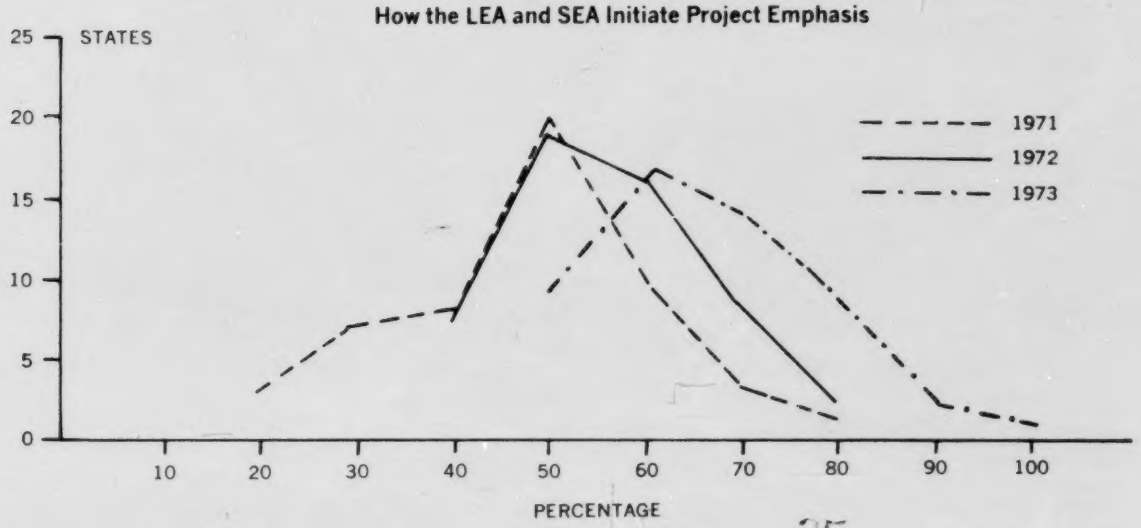
TARGET AREA SELECTION
How the LEA and SEA Rank and Select Their Target Schools



PROGRAM DEVELOPMENT
How the LEA and SEA Initiate Project Emphasis



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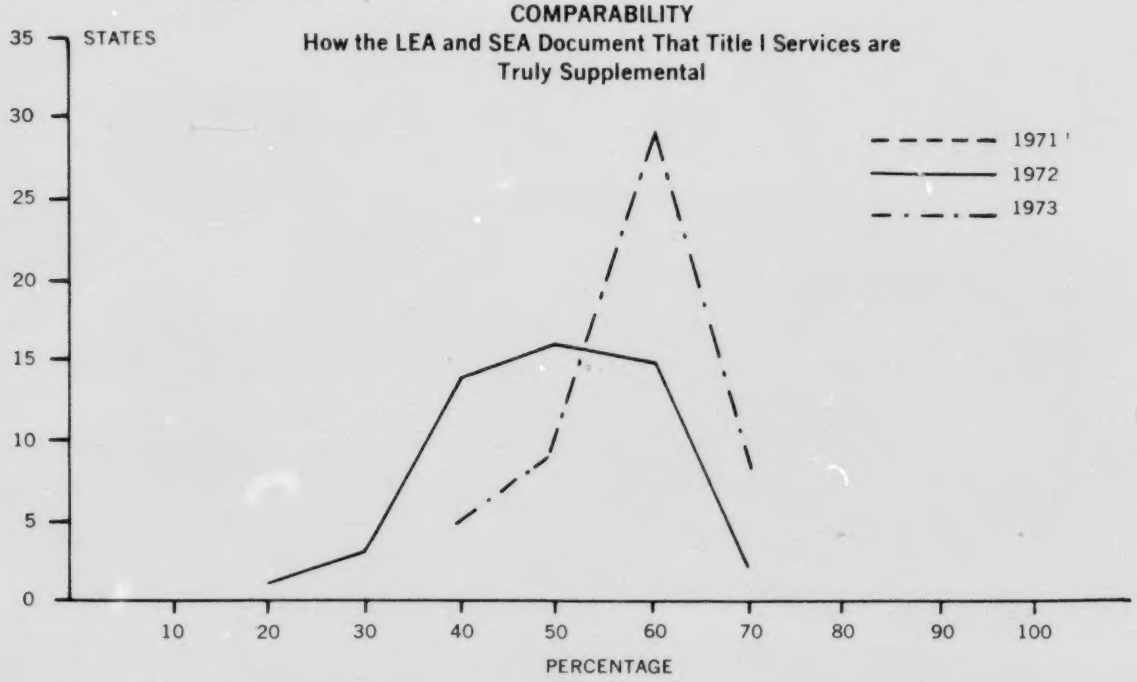
COMPARABILITY

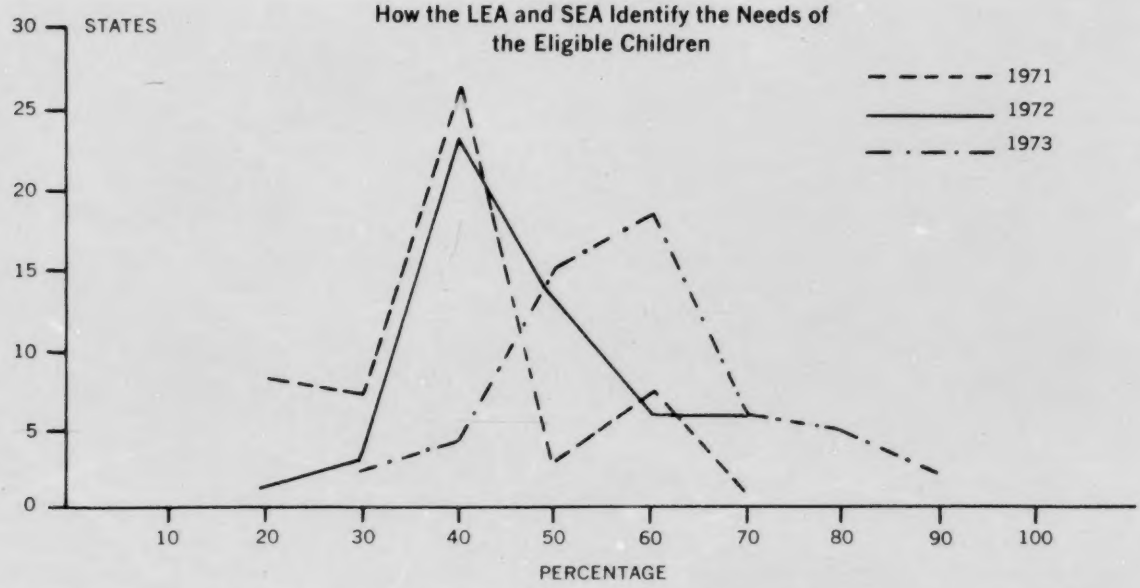
How the LEA and SEA Document That Title I Services are Truly Supplemental



[1] Comparability was not required in 1971.

NEEDS ASSESSMENT

How the LEA and SEA Identify the Needs of the Eligible Children



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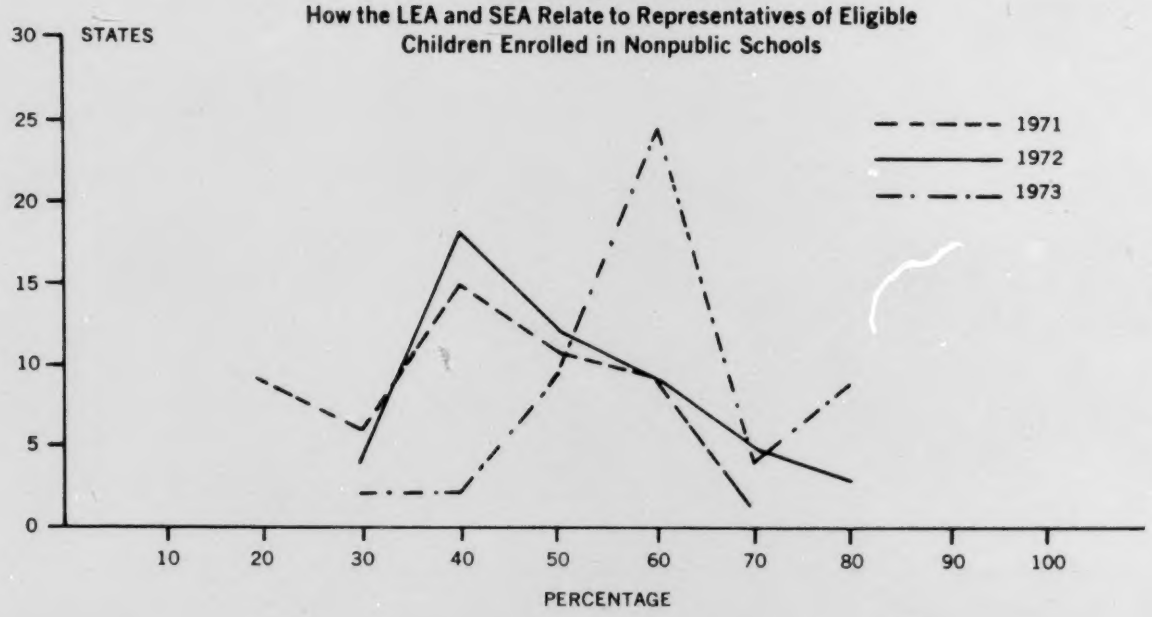
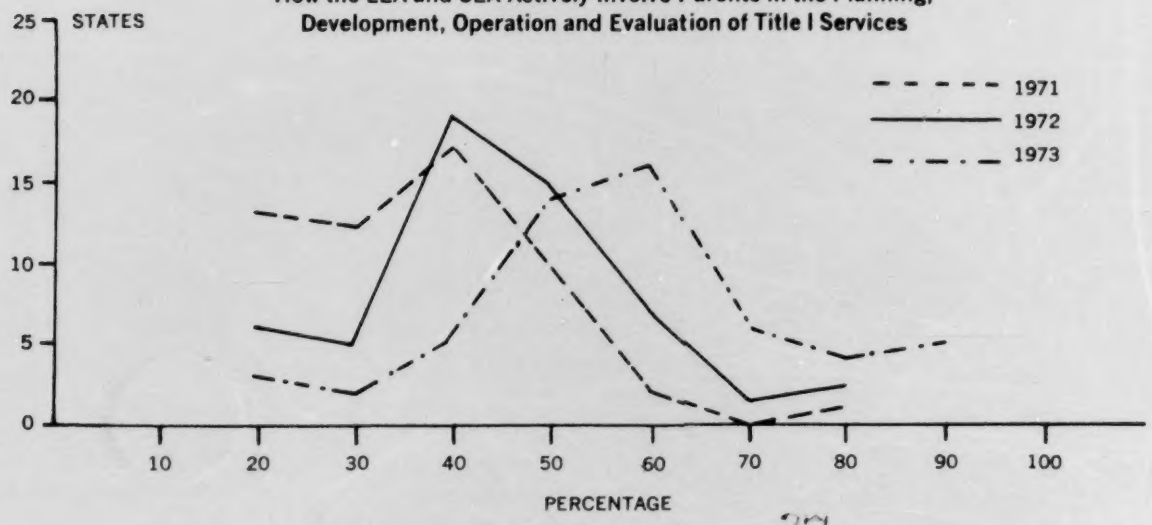
NONPUBLIC SCHOOLS

How the LEA and SEA Relate to Representatives of Eligible Children Enrolled in Nonpublic Schools



PARENTAL INVOLVEMENT

How the LEA and SEA Actively Involve Parents in the Planning, Development, Operation and Evaluation of Title I Services



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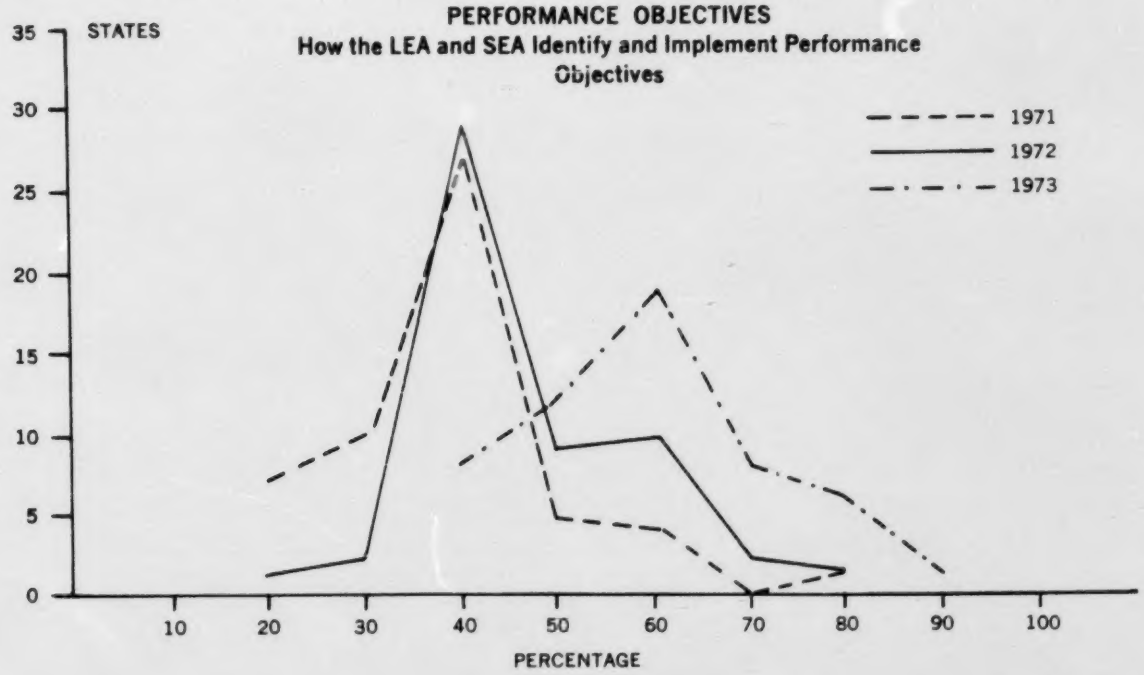
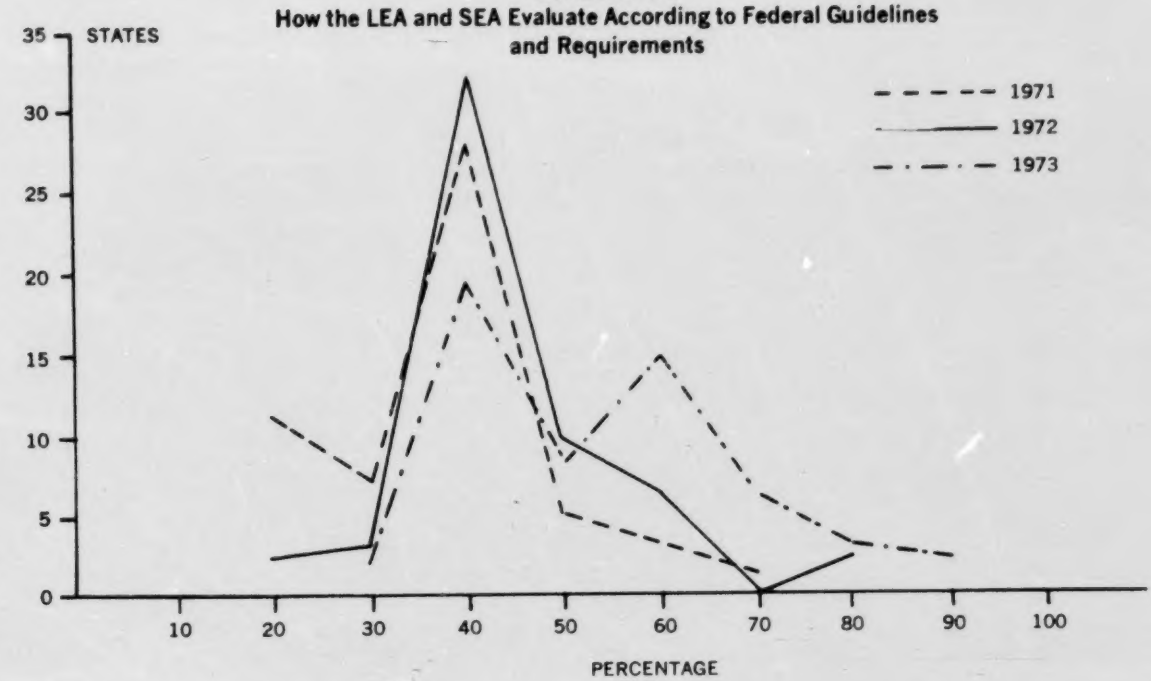
PERFORMANCE OBJECTIVES
How the LEA and SEA Identify and Implement Performance Objectives



EVALUATION
How the LEA and SEA Evaluate According to Federal Guidelines and Requirements



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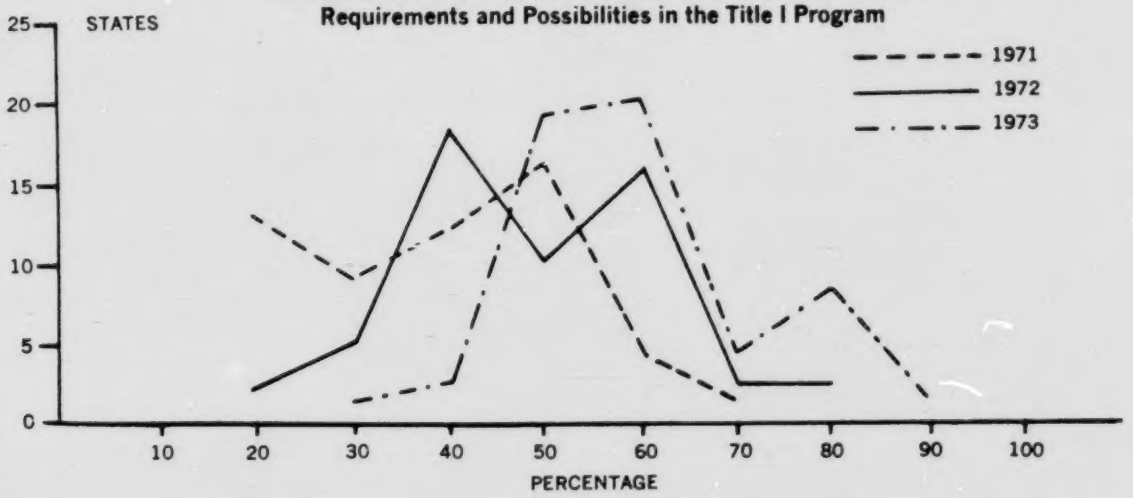
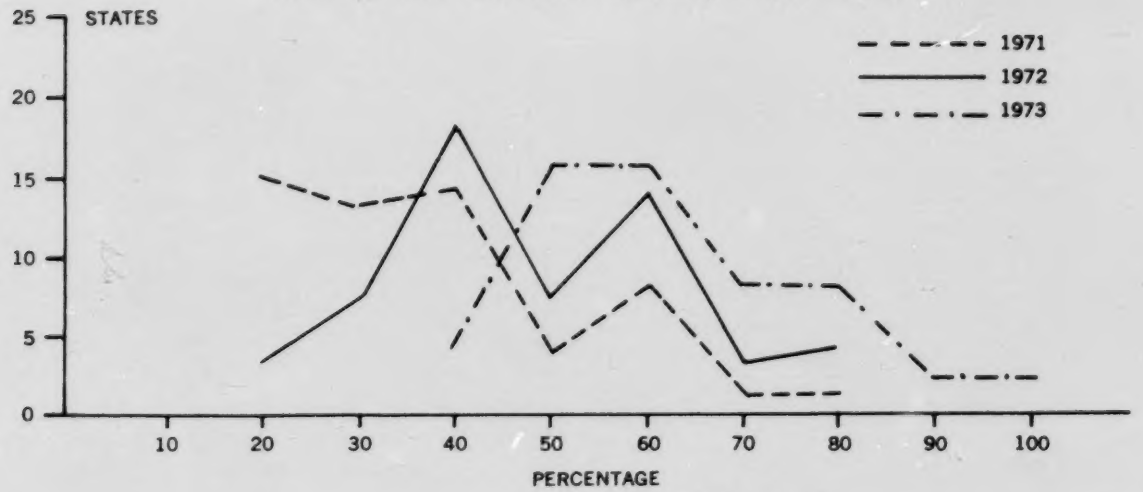
DISSEMINATION AND PUBLIC INFORMATION
How the LEA and SEA Inform Administrators and Parents About Requirements and Possibilities in the Title I Program



PROGRAM MONITORING
How the LEA and SEA Monitor the Delivery of Title I Services



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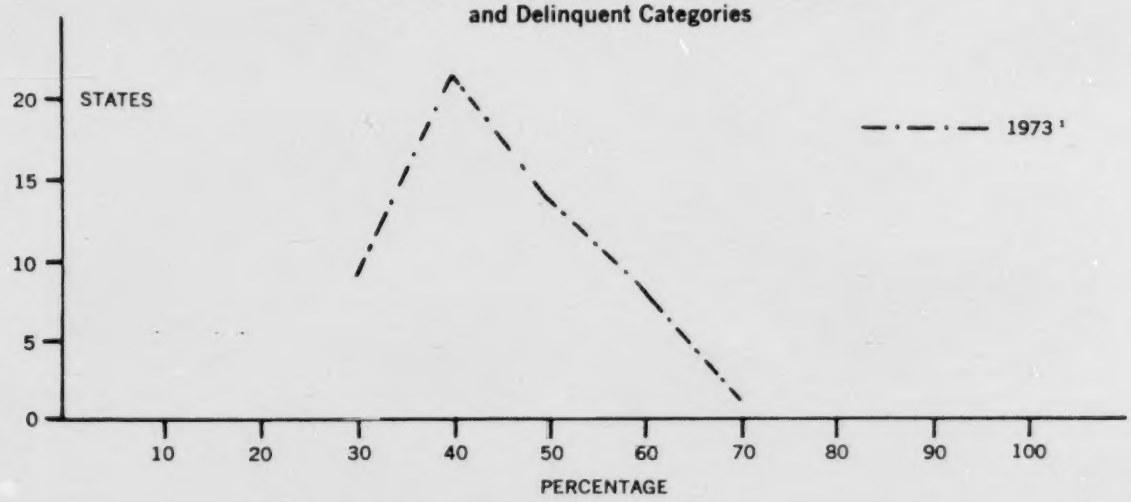
STATE AGENCY PROGRAMS FOR CHILDREN IN INSTITUTIONS FOR NEGLECTED AND DELINQUENT CHILDREN

How the State Serves Eligible Children in the Neglected and Delinquent Categories



[1] The first national examination of this program took place in 1973.

Note: This analysis is gleaned from an informal explanatory document provided by USOE entitled "Title I Program Review: A Longitudinal Analysis of State Assessment Criteria."

COMPARABILITY OF SERVICES

§ 116.26 Comparability of services.

(a) A State educational agency shall [1] not approve an application of a local educational agency (other than a State agency directly responsible for providing free public education for handicapped children or for children in institutions for neglected or delinquent children) for the fiscal year 1972 and subsequent fiscal years unless that agency has filed, in accordance with instructions issued by the State educational agency, information as set forth in paragraphs (b) and (c) of this section upon which the State educational agency will determine whether the services, taken as a whole, to be provided with State and local funds in each of the school attendance areas to be served by a project under Title I of the Act are at least comparable to the services being provided in the school attendance areas of the applicant's school district which are not to be served by a project under said Title I. For the purpose of this section, State and local funds include those funds used in determinations of fiscal effort in accordance with § 116.45.

(b) The State educational agency shall require each local educational agency, except as provided under paragraph (d) of this section, to submit data, based on services provided from State and local expenditures for subparagraphs (2) through (7) of this paragraph, for each public school to be served by a project under Title I of the Act and, on a combined basis, for all other public schools in the district serving children in corresponding grade level, which schools are not served by projects under that title. Such data shall show (1) the average daily membership, (2) the average number of assigned certified classroom teachers, (3) the average number of assigned certified instructional staff other than teachers, (4) the average number of assigned noncertified instructional staff, (5) the amount expended for instructional salaries, (6) the amount of such salaries expended for longevity pay, and (7) the amounts expended for other instructional costs, such as the costs of textbooks, library re-

[1] Office of Education, Title I Regulations

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sources, and other instructional materials, as defined in § 117.1(i) of this chapter; and such other information as the State educational agency may require and utilize for the purpose of determining comparability of services under this section. The data so provided shall be data for the second fiscal year preceding the fiscal year in which the project applied for under said Title I is to be carried out unless a local educational agency finds that it has more recent adequate data from the immediately preceding fiscal year which would be more suitable for the purpose of determining comparability under this section.

(c) The data submitted by the local educational agency based on services provided with State and local expenditures, shall, in addition to the information required under paragraph (b) of this section, show for each public school serving children who are to participate in projects under Title I of the Act and for the average of all public schools in the school district serving corresponding grade levels but not serving children under Title I of the Act, on the basis of pupils in average daily membership;

(1) The average number of pupils per assigned certified classroom teacher;

(2) The average number of pupils per assigned certified instructional staff member (other than teachers);

(3) The average number of pupils per assigned noncertified instructional staff member;

(4) The amounts expended per pupil for instructional salaries (other than longevity pay); and,

(5) The amounts expended per pupil for other instructional costs, such as the costs of textbooks, library resources, and other instructional materials.

The services provided at a school where children will be served under said title I are deemed to be comparable for the purposes of this section if the ratios for that school determined in accordance with subparagraphs (1), (2), and (3) of this paragraph do not exceed 105 percent of the corresponding ratios for the said other schools in the district, and if the ratios for that determined in accordance with subparagraphs (4) and (5) of this paragraph are at least 95 percent of the corresponding ratios for said other schools. State educational agencies may, subject to the approval of the Commissioner, propose and establish criteria, in addition to those specified in this section, which must be met by local educational agencies.

(d) The State educational agency shall not approve project applications under Title I of the Act for fiscal year 1972 unless the applicant local educational agency has submitted the data required by paragraphs (b) and (c) of this section. Such data must be submitted to the State educational agency no later than July 1, 1971, and July 1 of each year thereafter. In the case of local educational agencies the data for which indicate a failure to meet the standards for comparability described in this section, such applications must indicate how such comparability will be achieved by the beginning of fiscal year 1973. Applications for fiscal year 1973 and succeeding fiscal years shall not be approved unless the State educational agency

(1) finds, on the basis of the data submitted, that the local educational agency has achieved comparability (as described in this section) and has filed a satisfactory assurance that such comparability will be maintained, or,

(2) in the case of a local educational agency the data for which indicate a failure to meet such standards of comparability, receives from that local educational agency information with respect to projected budgets, staff assignments, and other pertinent matters showing that comparability will be achieved by the beginning of that fiscal year, together with a satisfactory assurance that such comparability will be maintained during the period for which such application is submitted. Notwithstanding the foregoing provisions no action shall be required of any local educational agency concerning the achievement of comparability with respect to subparagraphs (2) and (3) of paragraph (c) of this section if less than the equivalent of a full time staff member would be required to achieve such comparability.

(e) Any agency which has an allocation of less than $50,000 for the fiscal year under parts A, B, and C of title I of the Act, and which is operating schools where children are not to be served under that title shall file a satisfactory assurance that it will use its State

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and local funds to provide services in its schools serving children who are to participate in projects under that title, which services are comparable to the services so provided in these schools serving children in corresponding grade levels which are not to be served by a project under that title. Such an agency shall also file the data required by paragraph (b) (1), (2), (3), and (4) of this section and the data required by paragraph (c) (1), (2), and (3) of this section.

(f) The requirements of this section are not applicable to a local educational agency which is operating only one school serving children at the grade levels at which services under said title I are to be provided or which has designated the whole of the school district as a project area in accordance with § 116.17(d). (20 U.S.C. 241e(a)(3))

Program Review Letters: Summary of Program Review Findings

The NACEDC has recommended that program reviews be mandated by the legislation which extends ESEA, Title I.

The Council has always supported this additional, though costly, procedure of program reviews, because financial audits do not necessarily reflect the quality of educational service.

In discussion with Area Desk Program Specialists, the Council found that the DED is aware of many of the local problems facing local educational agencies in administering Title I and of their inadequacies in providing services to these children. When complaints are filed, the DED staff does follow up. Program Specialists Teams sometimes make additional visits to local educational agencies and offer technical assistance, if necessary, in efforts to resolve some of the difficulties. Several States have had as many as five visits in order to correct certain technicalities in their administration of Title I programs.

The program review letters which have been mailed to the DED by State Coordinators are now public information, and the Council requested a copy of this file to develop a national review from 1970–1974.

In 1971 many districts were cited for general aid violations but by 1974 general aid violations were decreasing.

On the whole, the data indicate general improvement among the States from year to year. This is highly correlated with familiarity with the program through experience and through Federal and State provided technical assistance.

State Departments of Education, partly through ESEA, Title I administrative money and requirements and partly through Title V, Strengthening State Departments, are increasingly capable of better administering Title I requirements and, at the same time, providing adequate service to children.

Much has been done and much needs to be done. However, the program review material documents the need for implementation of the Council's minimum mandates and corroborates the Council's view that certain components should be included in any compensatory education program in order to raise the educational attainment of the children served.

D. Services to Delinquent Children in State and Local Institutions

So much emphasis has been placed on the large grant of money distributed under ESEA, Title I to public schools on monitoring these funds and on seeking methods of measuring success, that little public attention has been focused on the programs under Title I for delinquent children in institutions.

According to DHEW statistics for fiscal year 1973, there are 17,031 delinquent children in State institutions, 1,533 in correctional institutions, 50,323 neglected children and 190,059 Title I eligible children, in foster homes. (These are the number of formula children, and are not necessarily the numbers of children actually receiving services.)

DHEW reports that 54,387 children were eligible in fiscal year 1973, and 69,786 children are estimated to be eligible in 1974. The USOE does not have data available on which children were actually served in 1973. Only a small percent of delinquent children are in institutions —most are on probation or parole in the com-

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munity, and most dependent children are in private homes. Institutions for the above children are defined as follows:

Institution for Delinquent Children

> "An institution for delinquent children means a public or private nonprofit residential facility which is operated primarily for the care of, for an indefinite period of time or for a definite period of time other than one of short duration, children who have been adjudicated to be delinquent children. Such term also includes an adult correctional institution in which children are placed."

Institution for Neglected Children

> "An institution for neglected children means a public or private nonprofit residential facility (other than a foster home) which is operated primarily for the care of, for an indefinite period of time, at least ten children who have been committed to the institution, or voluntarily placed in the institution, and for whom the institution has assumed or been granted custodial responsibility pursuant to applicable State law, because of the abandonment or neglect by, or death of, parents or persons acting in the place of parents."

Correctional Institution Housing Children Aged 5 Through 17 Inclusive

> "A locally administered prison, jail, workhouse, or similar facility in which children are housed as a result of their having been committed to that institution in accordance with State law and for whom the average length of stay is at least thirty days."

The time has come to give serious attention to what is being done with educational programs geared to serving children adjudicated to be delinquent and placed in State training schools and institutions, as well as the children who are dependent, neglected, orphaned or abandoned and become wards of the court who are placed in State and local institutions or in foster care.

Most authorities agree that a child removed from his home (for whatever reason) and placed in an institution or foster home has quite an adjustment to make, a greater adjustment than a child moving to another school district with his family.

The delinquent is removed from his neighborhood, school, and family because of his misdeeds; the neglected or dependent child is removed from his home and family because they cannot give him the minimum of care and supervision. Each has an emotional adjustment to make to institutional life and a new school.

The drafters of ESEA, Title I perceived that children in institutions should share in the funds made available by Congress for educating disadvantaged children. The maximum amount of grant allocated to a State agency each fiscal year is determined by multiplying one-half the State average per pupil cost enrolled in a public school throughout the State, or one-half the national average per pupil cost, whichever is greater, by the average daily attendance of neglected or delinquent children institutionalized in schools operated by or supported by the agency. The funds are made available for administering Title I programs, including programs for neglected and delinquent children, and equal one percent of the overall amount of the Title I grant. However, no State receives less than $150,000 or $25,000 in the case of outlying areas.

Since the delinquent is committed to an institution and sometimes released other than at the beginning and ending of a school term, hard data is not available on the number of children receiving Title I benefits, the length of time they receive these services, and to what extent these children have met specific educational needs.

The U.S. Office of Education and the State Title I Coordinators and Recipient State Applicant Agencies share the available data and make a composite of criteria for measuring success and a compilation of successful educational programs for delinquents in State and local institutions.

The dependent and neglected must be housed separately from the delinquents, however, violations do occur. Also, information about educational programs for these two groups should be maintained separately. Children adjudicated to be delinquents will remain in institutions for long periods of time, possibly for all the years they attend school. Successful educational programs here should be comparable to programs for educationally disadvantaged children in public or nonpublic schools.

Senator Birch Bayh, Chairman of the Senate Judiciary Subcommittee on Juvenile Delinquency, stated:

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"During my two years as Chairman of the Subcommittee to Investigate Juvenile Delinquency, I have carefully reviewed the Federal juvenile delinquency programs which are scattered among more than 40 agencies. Unfortunately, this investigation confirmed what had already been painfully suggested—that existing Federal programs have not provided the requisite direction, coordination, resources, and leadership needed to deal with the crisis of delinquency. They have had virtually no impact on the devasting effects of juvenile crime—crime which results every year in immeasurable loss in human life, personal security, and wasted economic and human resources."

A partial listing of these agencies which provide Federal juvenile delinquency programs are:

Department of Justice, Bureau of Prisons, Correctional Services

To improve correctional services to those charged with or convicted of violations of State or local laws and ordinances in order to *reduce recidivism.*

Department of Justice, Law Enforcement Assistance Agency, Criminal Justice Center

Professionalization of criminal justice personnel through higher education (including police, courts and corrections professions).

Department of Health, Education and Welfare, National Institute of Mental Health, Health Services and Mental Health Administration

To develop new knowledge to the causes, diagnosis, treatment, control, and prevention of mental disease of man through basic, clinical, and applied research, investigations, experiments, demonstrations, and studies. Areas of special interest include alcoholism, suicide prevention, early child care, metropolitan mental health problems, *crime and delinquency,* narcotics, and drug abuse.

Department of Health, Education and Welfare, Social Rehabilitation Services, Child Welfare Service

To establish, extend and strengthen services provided to States and local public welfare programs for development of preventive or protective services which will prevent the *neglect,* abuse, exploitation or *delinquency of children.*

Department of Health, Education, and Welfare, Social Rehabilitation Services, Youth Development and Delinquency Prevention

To assist States and local education agencies, and other public and nonprofit private agencies in establishing and carrying out community-based programs, including programs in schools for prevention of delinquency.

Department of Health, Education and Welfare, Bureau of Adult Education, Division of Vocational Education

To provide (1) research training and experimental development, or pilot programs designed to meet special vocational needs of youths, and (2) dissemination of information derived from these projects.

Department of Health, Bureau of Education for the Handicapped

Develop special projects for special education for emotionally disturbed or handicapped delinquents.

Juvenile Justice and Delinquency Prevention Act of 1973 Senate Bill 821

Recently, Senators Birch Bayh and Marlow W. Cook of the Senate Judiciary Subcommittee on Juvenile Delinquency, introduced Senate Bill 821, cited as the Juvenile Justice Delinquency Prevention Act of 1973. This bill was first introduced as S.3148 during the 92d Congress, and received strong support and endorsement by youth-serving organizations. Extensive hearings have been conducted over the past two years. Witnesses from State. local and private agencies and organizations have testified in support of the urgent need for this legislation.

The purpose of this bill is to improve the quality of juvenile justice, and to provide a comprehensive, coordinated approach to the problems of juvenile delinquency. The bill has already received strong support from many of the major organizations in the field of youth development and prevention of delinquency, and also from persons throughout the United States who have been or are actively involved in administering services to the delinquent population.

In the opinion of the Senate Judiciary Subcommittee on Juvenile Delinquency the existing Federal programs have not in the past provided the direction, coordination, resources, and/or leadership which is greatly needed to offset the crisis of the delinquent population.

The bill authorizes approximately $1.5 billion, over the next four years in order to allow State and local governments new resources for developing programs for juvenile delinquents.

The Council hopes this type of coordination can be brought about voluntarily. If not, formally structured legislation may be the only answer.

The Council plans to host a meeting in 1974 of representatives from the 40 agencies which are already funded to serve the educational needs of delinquent children. We will examine the need for, and ways of bringing about, coordination of these agencies.

Another elusive aspect of this field of study is aftercare evaluation. If the delinquent makes educational progress while in institutions and returns to the same home, school and neighborhood, it is important to follow up with efforts which encourage his continued academic advancement. Parole officers are responsible for helping the returnee make a successful adjustment, but how much the parole officer should or could do to follow through with his school work is debatable. Is it realistic to expect the parole officer to function in this manner?

Some agency should be charged with at least the minimum of post-care counseling for the returnee and monitoring his/her school achievement for a term. In this way data could also be compiled to see if the educational efforts of the institutions have a lasting effect on a majority of the returnees.

Educational Criteria for Success

Educational goals cannot be separated from social goals. The criteria for success in serving delinquent children must be based upon educational attainment and the significant improvement in their educational performance along with the recidivism rate and rehabilitation.

The Title I guidelines might be too binding for the effectiveness of delivery of services to neglected and delinquent children in institutions and there is need for specific guidelines for this part of Title I programs. Some institutions found it necessary to bend the truth about the types of services they are administering to children in institutions in order to fit State priorities when the individual needs assessment for these children conflicts with those priorities.

There is interest in decentralization of programs for delinquents. Ideally, there would be no large State institutions for delinquents. Massachusetts and Oregon have taken the lead in this trend and each have closed at least one State facility. Whether this trend eventually will result in more small institutions for delinquents within the State, neighborhood facilities, or a continuation of big State institutions remains to be seen.

While this has to do with penology, behavioral science and rehabilitation, educators must still view its impact on the educational programs for the delinquents. The Council will follow the trend to determine the impact on ESEA allocations.

E. Parent Involvement

Educators commonly believe that the environmental factor which had the greatest impact upon the educational attainment of children is the influence of the family setting. The involvement of parents can often bridge the gap between the home and school. When properly trained, parents become more sophisticated in their approach to school officials who administer services to children.

ESEA, Title I was amended in 1970 to include a prescription of parent involvement as follows:

> Sec. 415. In the case of any applicable program in which the Commissioner determines that parental participation at the State or local level would increase the effectiveness of the program in achieving its purposes, he shall promulgate regulations with respect to such program setting forth criteria designed to encourage such participation. If the pro-

gram for which such determination provides for payments to local educational agencies, applications for such payments shall—

(1) set forth such policies and procedures as will ensure that programs and projects assisted under the application have been planned and developed, and will be operated, in consultation with, and with the involvement of parents of, the children to be served by such programs and projects;

(2) be submitted with assurance that such parents have had an opportunity to present their views with respect to the application; and

(3) set forth policies and procedures for adequate dissemination of program plans and evaluations to such parents and the public.

In October 1971, the Title I guidelines were amended to require the establishment of parent councils at the districtwide levels with parent membership being more than a simple majority of parent advisory councils.

(o)(1) Parental involvement at the local level is deemed to be an important means of increasing the effectiveness of programs under Title I of the Act. Each application of a local educational agency (other than a State agency directly responsible for providing free public education for handicapped children or for children in institutions for neglected and delinquent children) for assistance under that Title, therefore, (i) shall describe how parents of the children to be served were consulted and involved in the planning of the project and (ii) shall set forth specific plans for continuing the involvement of such parents in the further planning and in the development and operation of the project.

(2) Each local educational agency shall prior to the submission of an application for fiscal year 1972 and any succeeding fiscal year, establish a council in which parents (not employed by the olcal educational agency) of educationally deprived children residing in attendance areas which are to be served by the project, constitute more than a simple majority, or designate for that purpose an existing organized group in which such parents will constitute more than a simple majority, and shall include in its application sufficient information to enable the State educational agency to make the following determinations:

(i) That the local educational agency has taken appropriate measures to insure the selection of parents to the parent council who are representative (*a*) of the children eligible to be served (including such children enrolled in private schools) and (*b*) of the attendance areas to be included in the Title I program of such agency;

(ii) That each member of the council has been furnished free of charge copies of Title I of the Act, the Federal regulations, guidelines, and criteria issued pursuant thereto, State title I regulations and guidelines, and the local educational agency's current application; and that such other information as may be needed for the effective involvement of the council in the planning, development, operation, and evaluation of projects under said Title I (including prior applications for title I projects and evaluations thereof) will also be made available to the council;

(iii) That the local educational agency has provided the parent council with the agency's plans for future Title I projects and programs, together with a description of the process of planning and developing those projects and programs, and the projected times at which each stage of the process will start and be completed;

(iv) That the parent council has had an adequate opportunity to consider the information available concerning the special educational needs of the educationally deprived children residing in the project areas, and the various programs available to meet those needs, and to make recommendations concerning those needs which should be addressed through the Title I program and similar programs;

(v) That the parent council has had an opportunity to review evaluations of prior title I programs and has been informed of the performance criteria by which the proposed program is to be evaluated;

(vi) That the title I program in each project area includes specific provisions for informing and consulting with parents con-

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cerning the services to be provided for their children under title I of the Act and the ways in which such parents can assist their children in realizing the benefits those services are intended to provide;

(vii) That the local educational agency has adequate procedures to insure prompt response to complaints and suggestions from parents and parent council;

(viii) That all parents of children to be served have had an opportunity to present their views concerning the application to the appropriate school personnel, and that the parent council has had an opportunity to submit comments to the State educational agency concerning the application at the time it is submitted, which comments the State educational agency shall consider in determining whether or not the application shall be approved.

(3) The State educational agency may establish such additional rules and procedures, not inconsistent with the provisions of this section, as may be reasonably necessary to insure the involvement of parents and the proper organization and functioning of parent councils.

The Council's concern this year was to get the views of both parents and school administrators on the effect parent participation was having in raising the Title I childrens' educational attainment. The Council believes that attitudes of administrators and teachers toward parents has great bearing on the effectiveness of parent advisory councils, and that parents need a voice in the development, operation and evaluation of educational services which affect their children.

There is no substantial evidence to measure what effect parent participation has on a child's ability to learn and no available documentation to indicate what makes strong and effective parent advisory councils. However, the Council has seen a positive influence on the learning process of the children when parents are involved in a decision-making role as school employees or volunteers.

The Council has evaluated the progress and impact of parent involvement since 1970, and this year developed an instrument to gather information on parent advisory councils and an overall view of the general reaction of advisory role. (See Appendix C, page 174.)

The responsibility of school districts is to develop programs which will meet the educational needs of educationally deprived children. Evaluation and auditing of Federal programs has been ineffective at some of the local levels and efforts are being made to develop instruments which will improve the accountability of local school districts.

Some local educational agencies have met with failure in their attempts to offer diverse programs required to serve the eligible Title I children residing in dense urban areas. Parents have stated that schools are not amenable to change and are not responsive to the needs of their children. School officials, in some cases, have viewed parents as incapable, irresponsible and uninterested in their childrens' educational needs. School officials have also been accused of making parents feel uncomfortable when they visit the schools, and parents have often stated that they feel they are not a part of the school setting. These attitudes of school administrators and teachers has brought about a low level of parent participation.

After meeting with parents at the January 1973 parent conference and visiting several parent workshops, which the Council viewed as outstanding, the Council developed a list of minimum mandates which they felt should be included in any compensatory education legislation. One of these recommendations was "districtwide parent advisory councils" to channel the collective advisory voice of parents of participating children to the school superintendent and school board. (See legislation section, page 22.)

Questionnaires were mailed to former conferees who attended the parent conference in January 1973, hosted by the Council, and also to State Title I Coordinators of the corresponding States. Some of the coordinators voluntarily circulated this questionnaire to all their local school districts.

States participating in the survey are as follows:

Alabama	Hawaii
Arizona	Idaho
Arkansas	Indiana
California	Kentucky
Connecticut	Louisiana
Delaware	Massachusetts

Montana
New Jersey
New Mexico
New York
North Carolina
Ohio
Michigan
Missouri
Mississippi
Oklahoma
Oregon
Pennsylvania
Rhode Island
South Carolina
Texas
Washington
District of Columbia

We have thus far received 2,250 responses. The report herein is based upon only those States which took part in the survey, and the analysis does not reflect a total national picture of parent participation in local school districts.

Parent Responses

The Council received approximately 200 responses from local parent advisory councils and/or former conferees. The findings indicated substantial parent participation in their school districts. It was evident that, in accordance with Title I guidlines, the advisory councils were made up of more than just a simple majority of parents of Title I children. Since the regulations and guidelines do not specify how parents are to be selected, the Council was interested in the selection process and what impact it had on the effectiveness of parent advisory councils. The responses from parents indicated that school administrators either appointed or selected parents to serve on these advisory councils. We also questioned whether parents received training to deal with the complexities of legislation and regulations. The responses showed that there were various types of training; workshops were held which provided members with basic information concerning Title I programs and sessions were conducted to inform parent groups on the Title I regulations and guidelines.

Parents participated in various ways—as paid paraprofessionals in the classrooms, as advisors, as decision-makers in the local school districts, and as tutors of their own children.

The Council has seen some of these parent groups actively involved in the above roles and concluded that parents, when they are included in the decision-making process, often share a constructive role in concert with school boards and administration as well as familiarizing themselves with programs designed to achieve educational attainment for children.

The overall response indicated improvement in the attitudes of school administrators and teachers toward parents. However, in several instances parents still believe much needs to be done to have parents accepted as equal partners and remove some of the reluctance and suspicion parents have about involving themselves in Title I activities.

The responses received varied in numbers from one per State to approximately 350. Almost all school districts reported having city-wide parent advisory councils in their districts which served Title I children. The responses indicated that members were either appointed or selected by school officials. It was stated that this selection process was due largely to the difficulty school officials have in getting parents out to meetings.

The responses to questions regarding inservice training for parents and the professional staff did not differ from the responses of the parents. In practically all cases, school officials reported that no provisions were made for additional costs to parents for attendance at meetings. In many cases, it was stated that this was due to limited funds made available to local educational agencies.

The overall view of school officials regarding the effect parents have on a child's educational attainment was in most instances favorable. While this was the overall consensus of responses processed, there was some evidence wherein school officials still disapprove of parent participation and view parents as a threat to the school system's security.

Conclusion

From the above survey the Council views parent involvement in programs designed for educationally deprived children as a valuable and effective way for local school districts to tap parents as the "grass roots" because parents can often recognize and sometimes correct deficiencies found in the educational process of their own children. The Council reiterated its support of parent advisory councils on the local level on a school-by-school basis to ensure accountability to the parents of the children to be served.

F. Participation of Children Enrolled in Nonpublic Schools

In the 1972 and 1973 Annual Reports, the NACEDC recommended inclusion of a detailed description of the participation which it felt that nonpublic school administrators should have according to law in the planning, development, operation, identification of target populations, needs assessment and evaluation of Title I programs.

In an effort to determine progress toward achieving implementation of maximum cooperation between the public school districts and the representatives of eligible children enrolled in nonpublic schools, the Subcommittee on Program Development hosted a meeting in Boston in October 1973 with representatives of the secular and parochial private schools. At that meeting, the Council subcommittee discussed current legislative initiatives, administrative experiences and the landmark *Anna Barrera* vs. *Wheeler* Supreme Court case regarding Title I.

Liaison with DHEW

The major concern of the participants was the need for liaison between DHEW and the representatives of nonpublic school eligible children. They felt that cooperation between them at the division level, and even at the USOE level had improved, but felt a need for a policy-level designee at DHEW. They requested that the policy level designee be involved in the planning of programs with mandated participation of non-public school eligibles, and participate in the drafting of clearly written regulations pursuant to those legal mandates.

The Council recommends that a policy-level person be delegated to have the responsibility for the concerns of eligible children attending nonpublic schools.

Data Collection

There has been insufficient data on the numbers of Title I eligible children attending nonpublic schools, and the NACEDC has consistently requested that such a determination be made. **The latest figure we have is a 1971 count indicating 347,312 participating private school children,** provided by the Director of the Division of Education for the Disadvantaged.

The NACEDC concurs with the recommendation submitted to it by nonpublic school representatives that:

"State educational agencies be mandated to report in hard data form on the number of nonpublic school students being served and the dollar amount being expended for nonpublic programs. In the collection of this data, State educational agencies be required to verify the accuracy of the data being submitted with a nonpublic school official at the level of the local educational agency.

Representation on Boards and Commissions

There was common agreement that there is insufficient guarantee of nonpublic school representation on policy level and advisory level boards. There was a hesitancy to define the ideal percentage of representation on such boards and commissions at every level, LEA to State to Federal. Therefore, in the spirit of the subcommittee conference,

The NACEDC recommends that terminology which supports nonpublic school representation on boards and commissions read as follows:

"private nonprofit school officials who are knowledgeable, informed and involved in programs affecting the disadvantaged children enrolled in nonpublic schools."

Conclusion

The Council notes that a satisfactory nonpublic school bypass, which the NACEDC has recommended, has now been included in the House bill to extend ESEA.

G. The Migrant Program—1974

The Council has placed priority on serving migrant children. As a result of their mobility, State and local governments often respond to this group with the barest minimum of services, if at all. Therefore, the Federal role has been and should be to guarantee educational services comparable to those received by other public school children. The Council commends improvements that have occurred in the delivery of Title I services to migrant children.

In past reports, the NACEDC has focused on the data bank, the Uniform Migrant Student Record Transfer System (UMSRTS), which has made it possible for LEAs to utilize migrant students' school records promptly and accurately. The NACEDC has consistently requested that this system be expanded to include transfer program objectives and test data for each student, and that an accurate count of migrant students be used to determine funding.

In the 1974 Report Year, amendments to the House bill on the extension of ESEA have included the requirement that funding for migrant programs be premised on the data now validated for accuracy by USOE specialists, available in the UMSRTS. The system now holds 477,000 records on individual migrant children.

Functioning of the UMSRTS for Funding Purposes

States which request records of children who enter the State for educational services indicate to the data system that a child has moved from his previous location to the new State. Consequently, the data bank reflects the number of children served in each State and the period for which they are served. To estimate for funding purposes, a review is made of last year's influx, expected weather conditions and agricultural industrial changes. Therefore, planning is made possible from the past year's requirements. This plan of operation results in special problems when national disasters, such as floods, alter the needs of an area temporarily. Therefore:

The NACEDC recommends that a mechanism be devised to provide a minimum planning floor of 80 percent of the past year's allocation, and to have the UMSRTS adjust the remaining 20 percent according to current FY needs by reallocating to the States, which demonstrate such need through requests for records.

New UMSRTS Form Includes Criterion Referenced Test Data

The new form of the UMSRTS is located on page 47 and contains data on school history, parents, school health, current school data and medical information. Even occupational and socioeconomical health problems are surveyed. For example, the form requests information on blood lead levels, pesticide blood levels, fluoride and typhoid.

This year, the results of a testing program will unify the data available on the performance levels of migrant children and contribute to program planning and needs assessment of the individual child for the first time. This comprehensive approach is utilizing the Michigan Criterion Mathematics Test and the Texas Criterion Reading Test which were selected in common agreement by the States. The Council commends this cooperative effort among the States.

The NACEDC will review the results of these test experiences in the next report year, examining them for their applicability to needs assessment, program planning and evaluation, and for use in the funding formula.

Council Site Visit

The Council visited a migrant family in the Shenandoah Valley, Virginia, with local government officials responsible for targeting services to that family. The members learned that the children were recorded in the UMSRTS by Virginia and not by other States which had served them.

The initial breakdown in the UMSRTS was caused by the length of residency in Florida of this migrant family. Florida did not use the UMSRTS because the family had resided in that State for about six months and the State did not consider them to be migrants. This is the usual practice.

The NACEDC recommends that those students who spend any part of the school year as children of agricultural migrant workers be included in Uniform Migrant Student Record Transfer System.

State Funds Targeted to Migrant Programs

The Council has learned that five States have contributed State funds for migrant programs, and, consistent with past action, the Council wishes to compliment their special efforts on behalf of these transient students. Colorado, New Jersey, Pennsylvania, California and New York have special State funded migrant programs.

Accrual of Credits: A Council Recommendation

The NACEDC recommends that the UMSRTS also be utilized to accrue credits premised on residency for secondary school students who are children of agricultural migrant workers.

In the case of migrant students, two primary causes of dropping out are the economic support a secondary student can provide his family and the loss of accrued credits leading to graduation. Therefore, the NACEDC feels that the UMSRTS is a prime tool to lower the dropout rate for migrant students if residency and credit accrual are performed by the system.

USOE reported to the Council on February 1974 that training has begun to develop a means of scoring secondary school credits on the form, and that States have agreed that this would be a valid credential toward graduation for the migrant student. The NACEDC compliments this new effort and will review its implementation according to the recommendation listed above.

Student Stipends

Migrant families are economically dependent upon their children to contribute to the support of the family, especially after the legal age for a child to work in the fields. Therefore many migrant children never enter secondary school because they leave as early as possible.

The dropout problem among educationally disadvantaged children has always been high and methods of retaining these secondary school youngsters in school have been tried. In the regular school program, cooperative education and other innovative programs are available to educationally disadvantaged children in an attempt to keep them in school through high school while at the same time providing a means of income for the child. The migrant child cannot benefit from these special programs.

Administrators of migrant programs have stated that if a small stipend were given to these children to offset their economic losses incurred by attending school, or if their families were provided with a supplemental stipend for each child who remains in school which would equal or exceed their potential earnings, it might lower the dropout rate among migrant students. The Council believes that this is worthy of consideration and therefore:

The NACEDC has recommended that the migrant branch of The Division of Compensatory Education report to the Council by June 30, 1974, the estimated amount it would cost the combined State and Federal Governments, if social services regulations provided for a supplemental stipend to migrant families whose children remain in school until graduation from high school.

H.R. 11070, National Office for Migrant and Seasonal Farm-Workers Established in DHEW

There is a legislative effort to coordinate and consolidate all administrative offices for migrant programs throughout DHEW under one umbrella in an Office for Migrant and Seasonal Farmworkers. At present, services to this population are provided in an uncoordinated and restrictive administrative pattern. These programs include education, manpower, health, housing, day care, emergency food and medical assistance, etc.

The Council is studying this approach. We are aware of the supportive stance of the professionals in this field with regard to this bill.

Conclusion

The NACEDC commends the progress made in the past year in improving the delivery of services to migrant children. The severity of the problems inherent in the delivery of these

services is compounded by the mobility of their families. Moreover, this mobility results in the loss of voting privileges for their parents and the denial of due recognition in determining program planning objectives. If these services are to be delivered, continued refinements in the administration of the program must attempt to mitigate the effects of this mobility.

The Council will continue to examine these developments closely and report to the President and Congress on these developments.

UNIFORM MIGRANT STUDENT TRANSFER FORM

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[S] | LAST NAME | FIRST NAME | M | SEX | BIRTHDATE MO DA YR | V | AGE | CITY OF BIRTH | COUNTY/COUNTRY OF BIRTH | ST | HOME BASE CITY | ST | STUDENT NO | MNE

MIGRANT STATUS | EXTRA BIRTHDATE

[SH] SCHOOL HISTORY DATA

SCHOOL NAME	ST	DATE ENR MO DA YR	DATE WITH MO DA YR	DAYS ENR	DAYS ABS	%
SCHOOL ADDRESS						
SCHOOL CITY						
ST ZIP SCHOOL #						
MEDICAL RECORD ADDRESSEE						

[LP] LEGAL PARENT DATA [CP] CURRENT

	01 LAST NAME	02 FIRST NAME	01 LAST NAME	02 FIRST NAME
AA				
AB				

[CR] CURRENT RESIDENCE | 01 STREET ADDRESS | 01 CITY | 02 ST | 04 ZIP

[SP] SPECIAL PROGRAMS — MOST RECENT MIGRANT PROJECT SCHOOL — [SN] SPECIAL INTERESTS

NAME	01 CODE	02 HRS	03 WKS	04 CUMUL

NAME	01 CODE	02 CODE (MO)

[HM] SCHOOL HEALTH DATA

MINIMUM HEALTH SERVICES MATRIX

CATEGORY OF HEALTH SERVICE	01	02	03	04	05	06	07	08	09	10	11	12
AA INITIAL HISTORY												
AB PHYSICAL EXAM												
AC HT & WT (ANNUALLY) H.C. (BIRTH ONLY)												
AD BLOOD PRESS												
AE HB. HCT												
AF URINALYSIS (ONLY WHEN INDICATED MEDICALLY)												
AG TBC (ANNUALLY IF NEGATIVE)												
AH IMMUNIZATION DPT (DT AFTER 5)												
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AO AUDIOMETRIC SCREENING												
AP SPEECH												
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AS PESTICIDE BLOOD LEVEL												
NOTE: THE FOLLOWING ARE NOT RECOMMENDED AS ROUTINE BY THE AAP STANDARDS OF CHILD HEALTH CARE, OR THE IMMUNIZATION SCHEDULE OF USPHS												
AT FLOURIDE SCREENING												
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[TD] TEST DATA

NAME	01 CODE	02 FORM	03 LV	04 SCORE	05 ST	06 DATE MO DA YR	07

47

BEST COPY AVAILABLE

UNIFORM MIGRANT STUDENT MEDICAL TRANSFER FORM

SI

01 LAST NAME	02 FIRST NAME	03 MI	04 SEX	05 BIRTH DATE MO	DA	YR	06 V	07 AGE	08 CITY OF BIRTH	09 COUNTY/COUNTRY OF BIRTH	10 ST	11 HOME BASE CITY	12 ST	STUDENT NO	MNE

13 MIGRANT STATUS		14 EXTRA BIRTHDATES	15	16	17

SH CURRENT SCHOOL DATA

SCHOOL NAME	MEDICAL RECORD ADDRESSEE

SCHOOL ADDRESS	SCHOOL CITY	ST	ZIP

01 MIGR ID	02 DATE ENR MO DA YR	03 DATE W/D MO DA YR	04 DAYS ENR	04A DAYS YR	05

HM SCHOOL HEALTH DATA

MINIMUM HEALTH SERVICES MATRIX

CATEGORY OF HEALTH SERVICE		01	02	03	04	05	06	07	08	09	10	11	12
AA	INITIAL HISTORY												
AB	PHYSICAL EXAM												
AC	HT. & WT. (ANNUALLY) H.C. (BIRTH ONLY)												
AD	BLOOD PRESS												
AE	HB/HCT												
AF	URINALYSIS	(ONLY WHEN INDICATED MEDICALLY)											
AG	TBC												(ANNUALLY IF NEGATIVE)
AH	IMMUNIZATION DPT (DT AFTER 8)												
AI	TRIV POLIO (ORAL)												
AJ	MEASLES												
AK	RUBELLA												
AL	MUMPS												
AM	DENTAL												
AN	VISION												
AO	AUDIOMETRIC SCREENING												
AP	SPEECH												
AQ	COLOR BLINDNESS												
AR	BLOOD LEAD												
AS	PESTICIDE BLOOD LEVEL												
NOTE: THE FOLLOWING ARE NOT RECOMMENDED AS ROUTINE BY THE AAP STANDARDS OF CHILD HEALTH CARE OR THE IMMUNIZATION SCHEDULE OF USPHS													
AT	FLOURIDE SCREENING												
AU	TYPHOID PARATYPHOID												
AV	SMALLPOX												
AW	POLIO (INOCULATION)												
AX	INFLUENZA												
AY	SCA (0601)												

LP LEGAL PARENT DATA CP CURRENT

	01 LAST NAME	02 FIRST NAME	01 LAST NAME	02 FIRST NAME
AA				
AB				

CR CURRENT RESIDENCE

01 STREET ADDRESS	02 CITY	03 ST	04 ZIP

HP HEALTH PROBLEM LIST

PROBLEM DATA									TREATMENT DATA			REF DATA	
01 PROBLEM NUMBER	02 DATE OF ENCOUNTER MO DAY YR	NAME	03 CODE	04 STATUS ACTIVE	DISCHARGED	05 TYPE CHRONIC	ACUTE	06 NO OF SIM LAST PRIOR OCC IN REC	07 TYPE ADMIN DIAG	TREAT	08 RECOMMENDATIONS FOLLOW UP INT	FOLLOW UP DATE MO DAY YR	09 REF DATE MO DAY YR	10 REF TO

H. Title I Audits: Information and Implementation of Council Recommendations

As early as the fall of 1970, NACEDC noted that when audit exceptions were taken, and the consequent negotiations were completed, the States were expected to return the disputed funds to the U.S. Treasury. Meeting with the Commissioner designate, Dr. Sidney Marland, the Council requested that USOE find some means to have the audited funds reallocated within the same State to Title I eligible children rather than reverted to the U.S. Treasury general funds.

Annual Reports from that period, 1971–1972, reflect that request in the form of a recommendation:

The Council emphasized that since the States have assured the Commissioner of Education that Federal regulations would be followed, the States should be required to spend from their own funds an amount equivalent to the audit exceptions.

The Council has been informed that USOE has made an effort to deal with the problem of resolution of audit exceptions. On August 10, 1973, USOE released a memorandum that gave the States an alternative procedure for rectifying misspent funds once a final determination had been made. Even though this memorandum is not a regulation or guideline, the Council regards it as a positive step.

The memorandum from Commissioner John Ottina to chief State school officers permits States to rectify the audit exception by expending the same amount of State and local funds in exactly the same manner and under the same criteria as required for the Title I funds. To the extent possible, according to the memorandum, the State funds would be committed prior to the obligation of Title I funds. States are given three years to implement payment.

A Look at the Audit Exception

The Council reported last year that many of the fiscal problems faced by State and local officials were due to unclear regulations and guidelines. Further, accountants at DHEW were doing the audit reviews without program personnel and misunderstandings also developed about the timing of the implementation of a new requirement. DHEW Audit Agency does not audit every State annually, so it is entirely possible for ex post facto decisions to emerge or for longtime practices to be discovered during an audit done every three or four years. Currently a small DED audit task force is engaged in administrative procedures to sensitize fiscal auditors about Title I program considerations and travels as time and funds permit, with the DHEW auditors. However, staff ceilings constrain this process due to fund limitations. DED reports that as a result of this practice, embarrassments no longer occur and resolutions of audit exceptions proceed routinely.

The NACEDC has previously recommended the program personnel accompany fiscal auditors to provide the program experience to the audit process.

Repayment of Funds

States which were audited felt that they had insufficient funds to return to the U.S. Treasury for all of their Title I audit exceptions dating back to 1965. Some of these misexpenditures occurred as a result of implementing ESEA after it was funded late. (For example, ESEA was appropriated in April 1966 with requirements to spend these funds by June 30, 1966.)

There is an amendment to the House bill to extend ESEA which would void all exceptions which are five years old or more and have not been repaid. Council recommends that this amendment be enacted.

It is the consensus of the Council that the policy statement released by the USOE memorandum of August 10, 1973, will help many States who were caught in the middle of the audit situation during the four years of the new program 1965–1969.

In reviewing the policy statement, the Council found that States which had abided by the auditors' findings and returned the discovered audit exemptions on time now feel an inequity. Therefore:

The NACEDC suggests that refunds be made in accordance with the USOE memorandum,

dated August 10, 1973, providing that the monies will be spent for compensatory education on target Title I children.

The Council has also noted that the plan does not indicate who will be responsible for the implementation of the new procedure and the development of guidelines.

Major Areas of Noncompliance

A look at the audit exceptions discovered this year has revealed that many of the exceptions are still based on the concept of supplanting funds. There has been a decrease in use of funds for construction purposes, equipment, and general administrative charges to ESEA, Title I. Parent involvement and needs assessment are also being examined. Overall, the Council has noted that there has been a reduction in the type of audit exceptions that have occurred and that technical assistance has been offered by DED.

Title I Audits and Technical Assistance

The Council recommended last year in its report that at least one educator or program officer from USOE be included as part of the DHEW Audit Team. The Council sees this recommendation as a necessity even though staff constraints are involved because fiscal teams need to include educators so that program considerations, which must affect fiscal determinations, can be put into their proper perspective.

In an effort to determine the effect of technical assistance on the reduction of audit exceptions, DED spotchecked nine States. The chart which follows indicates the improvement in those States for that period checked. Other States are being checked now, and a determination will be made in the next year. However, the preliminary evidence seems to indicate that technical assistance has value in increasing compliance in those cases where misunderstandings have generated the audit exception.

The Council recognizes the implementation of our past recommendation regarding audit exceptions. Misused Title I funds are now reallocated to eligible Title I children within the State and LEA in which the exception occurred. This is the most equitable way of resolving audit exceptions.

Impact of Technical Assistance as Reflected by Amounts Questioned in Follow-Up Audits

STATE	*PERIOD COVERED*	*AMOUNT QUESTIONED*	*PERIOD COVERED*	*AMOUNT QUESTIONED*
ALABAMA	1965–1968	$ 914,650	1969–1972	0
ARIZONA	1965–1969	1,588,219	1970–1972	0
CALIFORNIA	1965–1968	2,495,998	1969–1972	$354,000
FLORIDA	1965–1968	11,016,201	1970–1972	0
HAWAII	1965–1969	302,255	1970–1972	0
IOWA	1965–1969	195,974	1970–1972	0
MASSACHUSETTS	1965–1968	207,819	1969–1972	0
MINNESOTA	1965–1969	311,107	1970–1972	0
MISSOURI	1965–1968	5,920	1969–1972	0
		$17,038,143		$354,000

I. Bilingual Education

The Council's concept of bilingual education is one in which English is one of the two languages involved but does not identify the other language in recognition of our cultural pluralism, thus the other language of the bilingual programs would be determined by local needs.

The NACEDC strongly supports bilingual-bicultural education which is an essential response to the needs and the rights of all children. Cultural diversity has been, and continues to be, an important factor and as such must be recognized in the curriculum.

First, NACEDC wishes to reiterate last year's recommendations:

"The NACEDC recommends that the Federal regulations governing Title I be amended so as to add the phrase 'or students who have a dominant language other than English' to the existing phrase 'a child who needs special educational assistance to perform at the grade level appropriate for his age' in the definition of educationally deprived children.

"The NACEDC recommends that compensatory education money should be made available to develop:

1. Models of bilingual-bicultural programs.
2. Materials and curricula appropriate to bilingual-bicultural programs.
3. Ways of implementing competency-based evaluations.
4. Teacher-training in this area.

"The NACEDC recommends that a greater fiscal-pragmatic flexibility be included in the law, the regulations and the guidelines to allow for approval of projects with a series of phases which cover more than 2 or 3 years.

"The NACEDC recommends that any LEA with over 5 percent of its students having a dominant language other than English must provide appropriate bilingual-bicultural personnel in the school from State and local funds before the Federal requirements concerning comparability are considered to be fulfilled.

"The NACEDC recommends that means be developed to recruit more members of language minority groups to assure an adequate number of teachers and administrators who are able to meet the needs of language minority children.

"The NACEDC recommends that flexibility and sensitivity be exercised in teacher certification requirements in order to meet the need for bilingual-bicultural personnel.

"The NACEDC recommends that Federal funds be used to develop culturally sensitive books and instructional materials for use in classrooms."

Bilingual Compensatory Education Programs

Bilingual programs can be generally divided into two major categories, the maintenance program and the transitional program. Bilingual education is instruction in two languages for any part or all of the school curriculum and study of the history and culture associated with the students' primary language.

A maintenance program is one where there is no phasing out of either language and the strengths of one language are used to clairfy, supplement and enrich the strengths of the other while teaching the correct generally accepted modalities of each language. When carefully taught, a good command of the dominant language will help to improve the command of the acquired second language. The transition type of bilingual program is one where any vernacular other than English is used as the medium of instruction at the beginning of the child's school experience until the child becomes proficient in English. The vernacular is slowly phased out of the academic experience.

Of these two types, the transitional is the typical bilingual program in existence in the continental United States, and because we recognize the need for bilingual education of either type, we continue to support transitional programs. Maintenance bilingual education is relevant to our national goals and the Council is watching the development of this program with interest. It should be kept in mind that the necessary components for either program should include the following conditions:

1. Teachers and administrators must have a positive attitude toward the program.

2. The teacher must have a bilingual/bicultural background and be trained in bilingual education.
3. Teachers and administrators should have continuous inservice and preservice training provided in the field of bilingual/bicultural education.
4. Safeguards to prohibit the use of programs to culturally isolate bilingual students should be built into the planning and guidelines.

The NACEDC supports a national commitment to bilingual/bicultural education for all children. The Council believes that bilingual/bicultural education should be a normal component of any American curriculum in order to develop a national resource which advances American interests and goodwill in the international arena as well as enhances the respect and recognition of our country's cultural diversity. Furthermore, the pedagogical evidence available shows that improvement in the performance of children in the area of reading can be a beneficial by-product of bilingual education.[1]

In addition, bilingual/bicultural education satisfies the need of native Americans whose vernacular is not English to acquire the tools that will put them in the main stream of American life, thereby meeting the special educational needs of this group.

[1] In Germany's John F. Kennedy School, "overall results indicate that American students . . . did as well as or better than 85 percent of comparable American students in the United States."

J. Staff Development

The NACEDC endorses the utilization of staff development as a necessary component of an adequate compensatory education program at the LEA level. Sensitive, talented and trained teachers directing the learning process are essential.

The NACEDC has visited local programs to see effective models of teacher training. The visits have indicated that the following components need be present in a quality staff development model:

1. A definition of the need for staff development component to fulfiill that need.
2. A selection process for participation of teachers, aides, parents and children which does not stigmatize the individual seeking improvement.
3. An atmosphere of open self-evaluation during the training.
4. A coordinated and cooperative planning effort for the staff development program by the teachers and administrators who participate.
5. Application of the newly developed techniques in the classroom setting for which it was intended, coupled with reevaluation.

Several urban programs we visited included a staff development component, but the responsibility was placed upon the teacher to attain certification levels after work, and the component was not an integral part of the working day or classroom setting. In these cases the professionals seemed to mark time with their presence, and did not participate in the program or in its process.

Other sites made provision for a separate facility associated with a school (so that interaction could be made with students), to which professionals, paraprofessionals, and parents came voluntarily and as a reward, to redevelop skills and to reevaluate their performance. Still other urban settings involved the inservice training for everyone in each school, directed by specially trained and employed staff specifically for the purpose of carrying out the staff development assignment.

Another aspect which contributes to the problem of staff development is the lack of forward funding. Inadequate notice of legal ability to obligate funds and programs leads to hastily prepared contracts with teachers who are available after the first selections are made.

The NACEDC will continue to study this aspect of compensatory education in depth during the coming year and will describe recommended improvements in staff development of Title I teachers and paraprofessionals at a later date.

APPENDICES

TESTIMONY OF CHAIRMAN ALFRED Z. McELROY TO A GENERAL EDUCATION SUBCOMMITTEE OF THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE 1 AUGUST 1973

Mr. Chairman, my name is Alfred Z. McElroy, and I am Chairman of the National Advisory Council on the Education of Disadvantaged Children.

The NACEDC is the statutory, Presidentially appointed council charged with the review and evaluation of programs under Title I ESEA and other federally funded programs serving disadvantaged children, including the poor, handicapped, delinquent, migrant and other children found to be educationally deprived. It is both our duty and privilege to report to the Congress and the President. Our Council budget is drawn from Title I ESEA funds and our 15 members include education professionals from every level of the education process: a juvenile court judge, civic leaders, businessmen, five women and significant representation from black, Spanish speaking, appalachian, oriental, and other minority and ethnic communities across America. In the interest of conserving time, I have attached to my testimony a list of the NACEDC membership, including their occupational and geographic backgrounds, and terms of service.

The Federal Advisory Committee Act of 1972 has greatly strengthened the existing 21 Presidential Councils, by guaranteeing staff and financial support as well as statutory independence. In addition, P.L. 91–230, the General Education Provisions Act required our members to have staggered three-year terms. Therefore, at this time, due to applicable legislation, our Council enjoys a national perspective of professional educators and interested laymen with the guaranteed protection of terms of office and a statutory obligation.

This is important to note at this time, because our testimony which follows is a positive statement about concepts and contents of the Better Schools Act. Our Council has always taken a constructive role with regard to pending legislative and regulatory alternatives for compensatory education.

We have determined through experience what we feel the minimum role of the Federal Government to be with regard to the educationally disadvantaged, and we reported those findings in our 1973 Annual Report. The folder we have provided to you contains our reports, and a study of the Better Schools Act which we prepared for the Secretary of DHEW, Mr. Caspar Weinberger, for a June meeting this year. We have made this full package available to your staff on a periodic basis, including the minutes of our frequent meetings.

There is a wide range of legislative alternatives in the House and Senate at this time, and the Council is comparing its minimum mandates with each individual piece of legislation. You have asked us here to express our views on the Administration's Better Schools Act, S. 1319, and Senator Javits' bill, the State Education Finance Assistance Act of 1973, A.1900.

In February the Council testified in depth before the General Education Subcommittee of the House on H.R. 69, an extension of the ESEA until 1978, and introduced the Council's minimum mandates at that time.

The Council spent its report year visiting with parents, professionals, local and State administrators and federal officials learning what they thought to be the minimum components of a good compensatory education effort. Using this information as the Council made its site visits, the Council developed a

list of requirements which they would use in order to evaluate the pending legislative alternatives. For your convenience, I will list them at this time:

The NACEDC recommends that any compensatory education effort contain—

1. A comparability of services requirement, to ensure that local monies are not supplanted by federal funds.
2. Districtwide parent advisory councils, to ensure local accountability to the parents of the children to be served.
3. Public information access, in order to provide appropriate data to the public to properly evaluate the success of the program, so long as individual student privacy is respected with regard to specific information.
4. A nonpublic school bypass, to provide relief in cases where the Assistant Secretary determines that a district has failed to provide comparable services to children enrolled in the private schools, or where State laws prohibit such services.
5. Migrant program guarantees, to provide the nearly 500,000 migrant children equal educational opportunity through maximum use of the Uniform Record Transfer System.
6. Enforcement procedures, to provide services to children when there is a breakdown in the State-federal delivery system, and to provide compensation to the Federal Government for misspent funds.
7. Fiscal audits and maintenance of effort, to monitor the accurate expenditure of funds according to the law, and to insure the supplementing, and not supplanting of local funds with federal resources.
8. Concentration of funds, to maximize the use of the limited dollars available so that significant gains in performance of the children is noted.
9. Maintenance of local initiative, to develop programs which meet the specific educational needs of educationally deprived children, as long as parents of affected children have been actively involved in the needs assessment and the operation and evaluation of the program.
10. Desegregation guidelines, so that school districts which are engaged in the administration of desegregation plans can serve the participating children without unnecessary resegregation.
11. Program reviews, which provide technical assistance and expertise to the local administrators and States, while ensuring that audits properly reflect legislated intent.

After examining the Better Schools Act, as we did when we prepared a study for the Secretary of DHEW, Mr. Caspar Weinberger, delineating our points of agreement and points of departure with recommendations for improvement, we discovered that an objective review illustrated that most of our minimum requirements were contained in the bill.

We feel that some progress has been made in modifying those sections which were omitted. We have just learned that negotiations have been fruitful on the issue of parent involvement, and that an administration supported amendment is being introduced this week strengthening parent involvement with parent advisory council structures, by legislatively mandating their existence in H.R. 69.

There are other items which we are discussing in the Better Schools Act and which we feel need revision. The Migrant Program is deficient and needlessly competes with state programs for neglected and dependent children. The nonpublic school bypass needs strengthening to include a provision for circumstances in which an LEA fails to provide comparable services, and not just those situations in which State law prohibits such services. Program reviews and technical assistance from the federal level in compensatory programs are not discussed in the Better Schools Act.

In reviewing the Better Schools Act further, Council members noted that whereas the Act provides for local educational agencies to meet comparability requirements, evaluations and concentration of funds, the Act lacks a precise

provision that would ensure maintenance of effort.

The Council applauds the Better Schools Act for its recognition of the importance of necessary components to protect the educationally neglected child. A maintenance of effort provision would ensure that previous levels of State and local funding for education are maintained and are not reduced or replaced by federal funds. However, without the maintenance of effort provision, funds directed toward compensatory education could be greatly reduced.

The inclusion of the maintenance of effort provision within the Better Schools Act would enlarge the definition of noncompliance. The Council supports the stiff penalties provided in the Better Schools Act for noncompliance; however, a maintenance of effort provision would strengthen the implementation of the Act and the use of federal monies for national concerns with local program designs.

The second sentence of section 9(b), line 2 on page 18 of the Better Schools Act should be amended by striking out the "period" adding a "comma" and inserting "local educational agencies funds earmarked for education will not be used otherwise once federal funds are appropriated."

However, the major provisions which the Council has learned contribute to a successful compensatory program are included in the Better Schools Act, in fact, 10 of the 11 requirements we have established are present.

In the interest of conserving your valuable hearing time, I will not delve into the details of our Better Schools Act study, which you can read at your convenience.

In summation, these are the points of agreement we share with the Better Schools Act:

State Role

The Council concurs with the philosophy of the Better Schools Act that the federal role in the education of American children is to assist the States and local communities in areas of special national concern. It is critical that the responsibilities of the Federal Government include sharing of the costs with the States and local communities for these goals, and that the federal funds be the catalytic agent stimulating State activity.

According to State Title I Coordinators, only 13 States fund compensatory education programs from their own resources at this time. The State expenditure this year is $350,000 less than the State contribution last year, a decline of 20 percent. The Fiscal Year 1973 spending level by all 13 States is $147,976,998.

The 1973 Annual Report of the National Advisory Council on the Education of Disadvantaged Children has a recommendation dealing with incentives for State expenditures in its School Finance Section, pps. 68–75. I specifically refer you to page 74 for a discussion of a proposal for a matching system for compensatory education funding.

EDUCATIONAL PROGRAMS FOR DISADVANTAGED CHILDREN AS A PRIORITY

The Council has determined that it is necessary for the Federal Government to take such steps as are needed to ensure that aid to educational programs for disadvantaged children as a priority is inviolably provided and legislatively guaranteed as a first priority. The Better Schools Act does this.

Consolidation

The Council is in agreement that consolidation of some existing grant programs which serve educationally deprived children is appropriate, as is a consolidation of other related education programs.

This is one area in which the Administration has provided leadership and has generated a bipartisan response. At issue now is which on the Chinese Menu of alternatives and combinations would most effectively serve the children.

As the permutations will be very fluid in the next few months, we would welcome the opportunity extended to us by your staff to work with you to iron out the details of the best consolidation plan for maximum effectiveness.

However, the Council's attitude at this time favors a move to grants consolidation.

Cognitive Skills

The 75 percent emphasis in the cognitive skills mandated by the Better Schools Act is in tune with the desires of parents of disadvantaged children. Oregon Superintendent of Public Instruction, Dr. Dale Parnell, has stated in his recent testimony to the General Subcommittee on Education in the House that, "We emphasize basic skills because the students who master them develop pride and a positive self-image, and because they are the prerequisites to all other learning."

The Council agrees with both the parents and the administrators on this issue, and again we see an area in which the Better Schools Act is in tune with current educational preferences.

Concentration

Concentration requirements of the Better Schools Act are stricter than in ESEA, and the Council favors this tough approach. It is difficult to leave out children needing service, especially when merely 40 percent of those eligible receive such compensatory services at this time. However, we expect to see a correlated raising of the attainment of the children to be served so significant as to make this emphasis worthwhile. Local districts which have concentrated to this degree are more successful with their programs than those in which the services are dissipated among more children. Schools which concentrate heavily can spend upwards of $250 extra per child for compensatory services.

Eligibility

The Better Schools Act not only raises the income level for eligibility, but according to Secretary Weinberger's testimony, it also takes into account the Orshansky index, which realistically takes note of family size in the determination of poverty status.

Raising the income level to the Orshansky index for the purposes of eligibility yields a minimum allocation per child, according to the Department of Health, Education, and Welfare estimates, of $250. This allocation is a sufficient supplement to district spending to do a creditable job in raising the educational attainment of disadvantaged children. But it is just a beginning.

The Better Schools Act requires the use of the most recent data available to the Secretary, and we assume that he will use the 1970 census data, even with its technical drawbacks. The Council feels that use of the 1970 census date is the most appropriate at this time.

Nonpublic School Bypass Provision

The Better Schools Act does have a section which provides an alternative for nonpublic schools in those states where state laws prohibit serving the eligible children in attendance. The National Advisory Council on the Education of Disadvantaged Children has asked for a similar, although more comprehensive bypass provision. The exact provision we requested is now among the amendments to H.R. 69 which was passed unanimously by the House General Subcommittee on Education. However, it is worth noting that the Better Schools Act has set the pace for such a provision.

Forward Funding

The Better Schools Act has a section mandating advance funding. As a Council we join the chorus of voices which plead with you for an endorsement of this provision.

Interstate Agreements

Much of the compensatory education effort must be done with regional and interstate understanding and cooperation. This is especially important for children of agricultural migrants who often attend schools in two or more States during one academic year. Without interstate cooperation and agreements, the provision of coordinated, sequential, adequate education for these children is close to impossible.

Public Information

We find it especially important that the Better Schools Act has included a provision that State Education Agencies shall publish their plan for the distribution of funds available to them and that records be available to the public. The new Administration supported

amendment for Parent Advisory Councils also includes a section on public information access for these parents.

Parent Involvement

Although originally omitted from the Better Schools Act, we have just learned that an amendment to H.R. 69 is being offered at this time with Administration support which requires a legislative mandate for districtwide parent advisory councils. From the days when I was chairman of the Parent Involvement Subcommittee in 1970, the Council has been actively interested in the federal mandate for parent involvement.

Parent involvement of parents of affected children with the parent advisory council structure produces optimal performance by the children served. Evidence demonstrates this phenomenon, and I refer you to our annual reports and Better Schools Act Study for further details.

The new Administration supported amendment to H.R. 69 is a genuine breakthrough for Title I children. It requires that there be a district parent advisory council, a majority of whom are parents of children to be served. The Local Education Agencies must give the mandated parent advisory council responsibility for advising it on the planning, implementation and evaluation of the Title I program. The Local Education Agencies must provide reasonable access to public information according to regulations of the Commissioner of Education. This is the strongest mandate for a parent advisory council to date.

There are even more detailed amendments describing parent involvement emerging from the House Committee, and the National Advisory Council on the Education of Disadvantaged Children has been especially favorable to these individualized approaches. Therefore, out of 11 minimum mandates of the Council's recommendations, the provisions for educationally disadvantaged children in the Better Schools Act satisfy all but a comprehensive Migrant Program and the maintenance of effort requirement. We are continuing to work with the Department of Health, Education, and Welfare to negotiate on these items, and urge that you examine pending compensatory education measures for these 11 requirements. These components, we feel, should maximize the benefits of the federal funds targeted to educationally disadvantaged children.

Application for Funds

The Council is studying now the ramifications of the lack of an application from the Local Education Agency to the State for federal compensatory education program monies in the Better Schools Act. It is entirely possible that legal recourse for enforcement of fiscal requirements is absent without such an application form.

We are concerned that the Department of Health, Education, and Welfare have the means available to insure that federal tax dollars are in fact being spent for the purpose for which they were intended with respect to the priority on serving disadvantaged children. At the present time, the Council feels that compliance/enforcement is impossible without such an application, and the Council would recommend that any front running legislation intended to serve educationally disadvantaged children include such an application.

S. 1900 State Education Finance Assistance Act

It was requested Mr. Chairman that the Council comment through my testimony on S. 1900, the State Education Finance Assistance Act. We do so, and will provide you with the materials of such a study shortly.

I feel especially favorable to the philosophy of this bill as a Council Chairman. Many times council and commission reports are read and filed, and occasionally referred to in several speeches. This bill has shown great respect for three Commissions—the President's Commission on School Finance, Advisory Commission on Intergovernmental Relations, and the New York State Fleischmann Commission—by taking their recommendations and designing legislation tailored to implement their findings. This is the optimal relationship which councils should have with the legislature which established them, and I commend this bill for its resourcefulness as well as for substantive reasons.

You asked me to address two questions with regard to this bill, and I can briefly state the Council's position on those two items at this time.

Q. *Do you concur in the revised concept of the "relative tax effort"?*

With regard to the revised concept of tax effort expressed in S. 1900, to include other community services in health, welfare, housing, and other public services, the National Advisory Council on the Education of Disadvantaged Children finds this to be a realistic and enlightened approach. The Council would expect this mandate to stimulate more local and state effort in these highly related areas of governmental service.

Q. *Do you concur with the definition of the State Role in education as implied in S. 1900?*

The National Advisory Council on the Education of Disadvantaged Children feels that it is the proper role of the State Government to administer the educational program within each State, within a few parameters established by the Federal Government in areas of national concern. The National Advisory Council on the Education of Disadvantaged Children concurs with the President's Commission on School Finance, the Advisory Commission on Intergovernmental Relations, the Fleischmann Commission and others, that the federal role should stimulate more State activity and expenditures, with some shared federal resources. The National Advisory Council on the Education of Disadvantaged Children also favors federal financial incentives to encourage States to assume their proper role, and has recommended such a system for compensatory education.

These areas are attractive features of S. 1900, and the Council will comment further on it in detail after adequate study.

The National Advisory Council on the Education of Disadvantaged Children has not yet established a policy related to equalization formulas, and after it does, we will share it with you.

National Advisory Councils

The National Advisory Councils structure is a highly correlated component of the citizen review mechanism (parent advisory councils) which has just received Administration support. The creation of statutory advisory councils on the national level still needs strengthening through legislation.

You have benefited from the existence of such statutory councils, and are familiar with the additional advisory and staff services we can provide to you, and have provided to you, in the areas of our specialty and statutory jurisdiction. Since the passage of the Federal Advisory Committee Act, a needed streamlining and clarification policy, the establishment of statutory councils and commissions is somewhat more complex than it used to be. When you are involved in the establishment of any additional councils through pending legislation, please feel free to call upon us to review the wording and the composition of such a council. For example, placement of a federal official on the membership of the council instead of requiring that official attend every meeting, greatly alters the council's access to staff and financial support. How detailed the statutory obligation is, whether or not the Council is Presidential and its statutory expiration date, are a few more components which must be considered. Rather than take too much time with this now, I am open to questions on this subject, now, or at your convenience.

Conclusion

Mr. Chairman and distinguished members of this subcommittee, I sincerely appreciate the opportunity to be here today. As senior Council member and Chairman for more than two years, as a senior member of the elected Port Arthur, Texas, Independent School District Board of Trustees, as the parent of five school aged youngsters, and as a taxpayer, I am grateful for the opportunity to take part in what promises to be the greatest national debate over the federal approach to educating the disadvantaged since the Elementary and Secondary Education Act was passed in 1965.

As we complete our testimony to you today, let me leave you with some caution regarding

current evaluations of compensatory education, of which our reports are a part.

The Council has grown very wary and suspect of generally laudatory and generally critical statements about current compensatory education programs. Uniform goals and uniform priorities do not exist on a national level, and they should not. They do not exist any more than uniform standards exist for the success or failure of my own five children—all of whom share a common upbringing, economic level and human and geographic environment—in and out of the classroom. How, then, can we apply uniform measurement to programs serving people and communities as diverse as America herself?

We on the National Advisory Council on the Education of Disadvantaged Children believe that there should be a strong federal role in this field, and I have detailed some of our views on this role here today. However, we believe that the goal of the federal role must be to insure the availability of resources for targeting at the particular local needs of this politically vulnerable group of American children, so that their needs may be answered by the initiative and innovation of the working local educational agency in concert with the parents of these children.

Thank you.

Council Members

Name	*Occupation*	*Term Expires*
Mr. Alfred Z. McElroy, Chairman	Insurance	Sept. 16, 1974
Dr. Roland DeMarco	President, Finch College	Sept. 16, 1973
Mrs. Purificacion Fontanoza	Assistant Professor, Sacramento State College	Sept. 16, 1973
Mr. Maurice Rosenfeld	Chairman, Board of Equitable Bag Company	Sept. 16, 1973
Dr. John Tsu	Director, Institute of Far East Studies	Sept. 16, 1973
Mr. Jose Barbosa-Muniz	Executive Assistant to the President, University of Puerto Rico	Sept. 16, 1974
Honorable Barbara G. Culver	County Judge and Juvenile Court Judge Midland, Texas	Sept. 16, 1974
Mrs. Ruth Hagenstein	Civic Leader, Portland, Oregon	Sept. 16, 1974
Mrs. Estelle Sotirhos	Title I Liaison, New York City	Sept. 16, 1974
Mrs. Irene Cardenas Cardwell	Retired School Teacher and Principal Del Rio, Texas	Sept. 16, 1975
Mrs. Camille V. Dabney	Director, Community Education, East St. Louis, Illinois	Sept. 16, 1975
Mr. Frederick Felder	Consultant, Minneapolis, Minnesota	Sept. 16, 1975
Dr. Wilbur H. Lewis	Assistant Superintendent of Schools Parma, Ohio	Sept. 16, 1975
Mr. Owen Peagler	Dean, Pace College New York	Sept. 16, 1975
Mr. Peter Brennan	Resigned effective December 6, 1972, to accept Presidential appointment as Secretary of Labor	

APPENDIX B
CHARTS AND INFORMATION

ALLOTMENT OF FUNDS UNDER P. L. 89-10, TITLE I, PART A: FY 1974

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	Local Educational Agencies	Handicapped Children (State Agencies)	Juvenile Delinquents in Institutions (State Agency)	Delinquents in Correctional Institutions (State Agencies)	Neglected Children in Institutions (State Agencies)	Migratory Children (State Agencies)	State Administration	PART A TOTAL
GRAND TOTAL	1,446,152,668	85,777,779	17,551,033	5,896,590	2,001,246	78,331,437	18,048,016	1,653,758,769
50 States & D.C.	1,396,092,696	85,135,430	17,092,412	5,685,421	2,001,246	78,331,437	17,632,794	1,601,971,436
Alabama	34,549,166	633,507	199,129	39,363	–	711,306	361,325	36,493,796
Alaska	2,898,078	1,464,514	86,993	–	–	–	150,000	4,599,585
Arizona	8,221,631	530,238	299,156	11,577	–	2,104,281	150,000	11,316,883
Arkansas	20,963,618	1,201,718	199,592	39,363	–	751,595	231,559	23,387,445
California	121,348,148	2,026,019	1,448,082	177,827	–	10,076,838	1,350,769	136,427,683
Colorado	10,933,510	1,538,848	157,451	–	–	1,523,566	150,000	14,303,375
Connecticut	14,097,517	1,516,973	105,494	–	49,080	726,612	164,957	16,660,633
Delaware	2,323,748	676,357	158,130	–	–	315,216	150,000	3,623,451
Florida	25,292,847	2,057,972	621,467	582,56[illegible]	–	11,147,502	397,024	40,099,379
Georgia	40,573,812	781,233	485,318	192,645	–	537,647	425,707	42,996,362
Hawaii	4,106,552	251,320	23,624	–	20,608	–	150,000	4,552,104
Idaho	2,719,220	196,35[illegible]	59,739	25,007	–	909,509	150,000	4,059,825
Illinois	77,364,803	5,479,38[illegible]	568,153	–	120,981	724,867	842,582	85,100,772
Indiana	18,773,439	2,144,570	282,485	191,719	179,679	729,830	223,017	22,524,739
Iowa	14,601,661	756,184	131,305	–	83,128	101,076	156,734	15,830,088
Kansas	9,631,973	1,102,617	139,853	85,209	–	646,474	150,000	11,756,126
Kentucky	32,212,788	712,696	–	61,591	–	88,913	330,760	33,406,748
Louisiana	31,322,489	2,131,141	439,472	20,839	–	488,560	344,025	34,746,526
Maine	5,641,269	535,332	129,202	12,503	11,114	64,833	150,000	6,544,253
Maryland	22,681,512	1,260,782	521,388	231,967	–	950,419	256,461	25,902,529

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Massachusetts	28,106,284	3,298,662	152,282	74,970	–	292,850	319,250	32,244,299 69,588,672
Michigan	58,912,993	4,873,408	294,814	474,449	14,265	4,329,746	688,997	22,761,444
Minnesota	20,897,155	678,289	319,131	190,938	–	450,570	225,361	38,128,416
Mississippi	35,922,628	494,580	250,069	43,067	–	1,040,563	377,509	26,381,108
Missouri	23,367,302	1,869,958	310,733	106,974	–	464,942	261,199	4,351,094
Montana	2,865,542	324,626	87,987	–	50,477	872,462	150,000	8,066,433
Nebraska	7,187,530	334,814	88,450	–	16,208	289,431	150,000	1,547,647
Nevada	1,108,679	130,128	105,121	14,819	–	38,900	150,000	2,880,038
New Hampshire	2,273,895	347,780	84,282	–	–	24,081	150,000	60,819,858
New Jersey	52,903,906	4,240,298	739,831	54,300	–	2,279,346	602,177	9,079,256
New Mexico	7,393,185	382,050	137,075	–	–	1,016,946	150,000	235,837,947
New York	218,024,439	9,996,871	1,771,373	778,015	–	2,932,220	2,335,029	56,954,769
North Carolina	51,556,663	2,139,014	773,823	375,566	–	1,545,794	563,909	5,390,468
North Dakota	4,101,267	294,526	58,812	23,154	–	762,709	150,000	53,553,511
Ohio	45,280,413	5,154,655	835,414	104,195	131,981	1,516,620	530,233	18,879,323
Oklahoma	16,649,246	658,977	154,672	204,686	251,458	773,360	186,924	12,440,147
Oregon	8,709,633	1,316,495	240,633	77,624	–	1,945,762	150,000	78,037,822
Pennsylvania	69,645,082	5,775,689	760,365	208,587	244,036	631,411	772,652	5,764,350
Rhode Island	5,032,119	511,454	21,181	13,432	33,064	3,100	150,000	32,804,677
South Carolina	29,853,231	1,214,222	301,472	378,345	88,450	644,158	324,799	6,047,983
South Dakota	5,470,551	333,425	51,866	4,631	–	37,510	150,000	33,569,995
Tennessee	31,273,191	878,019	459,385	65,759	238,954	322,311	332,376	95,078,083
Texas	67,675,754	5,534,851	966,469	207,001	316,754	19,435,887	941,367	5,391,105
Utah	4,462,187	400,110	106,974	7,873	–	263,961	150,000	3,051,586
Vermont	2,093,957	733,535	63,443	4,168	–	6,483	150,000	34,648,453
Virginia	31,522,692	1,055,845	549,688	398.257	–	778,917	343,054	19,255,383
Washington	15,134,927	1,368,534	367,179	98,765	–	2,095,331	190,647	18,477,097
West Virginia	17,319,813	470,963	238,491	30,101	25,470	209,317	182,942	22,164,345
Wisconsin	18,709,456	2,155,588	432,661	73,568	43,729	529,894	219,449	

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	Local Educational Agencies	Handicapped Children (State Agencies)	Juvenile Delinquents in Institutions (State Agency)	Delinquents in Correctional Institutions (State Agencies)	Neglected Children in Institutions (State Agencies)	[1] Migratory Children (State Agencies)	State Administration	PART A TOTAL
Wyoming	1,186,384	222,033	49,957	–	–	197,811	150,000	1,806,185
District of Columbia	11,194,811	948,274	262,746	–	81,810	–	150,000	12,637,641
BIA	16,688,398	–	–	–	–	–	–	16,688,398
American Samoa	360,065	–	–	–	–	–	25,000	385,065
Guam	952,825	70,896	–	–	–	–	25,000	1,048,721
Puerto Rico	30,296,832	571,453	442,714	211,169	–	–	315,222	31,837,390
Trust Territories	1,152,995	–	–	–	–	–	25,000	1,177,995
Virgin Islands	608,857	–	15,907	–	–	–	25,000	649,764

[1] $1,900,000 of this amount reserved for the Migrant Student Record Transfer System

FY 1971 COUNT IN LEA PROGRAMS

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	Children Counted for Allocation	No. of Title I Participants		
		TOTAL	PUBLIC	PRIVATE
TOTALS	7,414,503	6,296,735	5,949,423	367,312
1. Alabama	245,450	242,564	241,000	1,564
2. Alaska	8,470	7,145	7,145	–
3. Arizona	53,715	49,744	47,719	2,025
4. Arkansas	149,659	139,552	139,359	193
5. California	624,366	258,221	248,289	9,932
6. Colorado	55,224	33,482	31,905	1,577
7. Connecticut	60,107	41,207	38,319	2,888
8. Delaware	12,675	6,635	6,389	296
9. District of Columbia	33,066	14,000	13,200	800
10. Florida	160,755	115,332	112,332	3,000
11. Georgia	243,385	185,200	185,200	200
12. Hawaii	18,637	9,827	9,742	85
13. Idaho	15,597	44,965	43,942	1,023
14. Illinois	316,285	270,965	241,732	29,233
15. Indiana	104,213	120,425	113,170	7,255
16. Iowa	92,666	90,974	83,719	7,255
17. Kansas	61,843	63,189	60,834	2,355
18. Kentucky	224,064	276,000	250,000	26,000
19. Louisiana	214,776	163,283	154,855	8,428
20. Maine	34,924	25,022	23,325	1,697
21. Maryland	109,631	65,747	61,674	4,073
22. Massachusetts	139,081	71,179	61,731	9,448
23. Michigan	232,544	133,744	124,969	8,775
24. Minnesota	112,348	65,212	59,181	6,031
25. Mississippi	256,166	198,385	197,385	1,000
26. Missouri	160,363	114,446	110,151	4,295
27. Montana	18,821	8,949	8,441	508
28. Nebraska	41,711	44,597	40,982	3,615
29. Nevada	6,316	1,421	1,381	40
30. New Hampshire	10,544	9,762	8,017	1,745
31. New Jersey	196,207	107,053	97,690	9,363
32. New Mexico	53,034	53,727	50,833	2,894
33. New York	699,198	650,000	544,000	106,000
34. North Carolina	348,197	243,000	242,000	1,000
35. North Dakota	27,929	40,300	37,629	2,671
36. Ohio	252,984	140,261	133,522	6,739
37. Oklahoma	113,279	153,428	153,109	319
38. Oregon	50,169	24,624	23,950	674
39. Pennsylvania	363,369	284,141	256,583	27,558
40. Rhode Island	24,907	18,526	17,848	678
41. South Carolina	210,640	261,477	259,392	2,085
42. South Dakota	38,771	37,604	34,336	3,268
43. Tennessee	222,334	223,778	221,933	1,845
44. Texas	444,855	417,580	398,244	19,336
45. Utah	22,416	14,786	14,276	510
46. Vermont	12,033	13,937	12,988	949
47. Virginia	208,157	130,667	130,460	207
48. Washington	80,090	63,103	59,000	4,103
49. West Virginia	125,055	82,872	82,148	724
50. Wisconsin	91,088	57,885	53,128	4,757
51. Wyoming	7,179	9,927	9,744	183
52. U.S. Service Schls.	–	30,528	30,032	496
53. Guam	–	8,225	5,020	3,205
54. Puerto Rico	–	338,659	336,873	1,786
55. Canal Zone	–	2,423	1,797	626
56. Virgin Islands	–	17,000	17,000	–

(1)—Data not available at State level

(2)—Do report made from SEA participation 152

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NUMBER OF CHILDREN, 5–17 IN FAMILIES AT VARIOUS INCOME LEVELS

STATE	1960 CENSUS $2,000	1970 CENSUS $2,000	$3,000	$4,000	$5,000	$6,000
Alabama	242,522	95,984	151,759	215,674	280,085	352,023
Alaska	4,796	4,262	6,456	8,897	11,826	16,026
Arizona	38,851	29,323	46,092	65,085	86,606	111,725
Arkansas	148,158	52,247	86,119	126,090	165,889	209,890
California	206,572	214,413	331,209	488,880	661,052	865,322
Colorado	35,581	25,367	39,618	57,238	79,641	108,340
Connecticut	20,731	22,226	32,918	46,794	62,826	82,574
Delaware	7,422	5,556	8,951	13,219	18,114	25,222
Florida	142,533	100,693	162,886	239,999	326,513	431,973
Georgia	239,789	93,139	155,733	230,147	307,483	393,166
Hawaii	8,832	7,229	10,384	14,810	20,329	29,340
Idaho	12,257	7,397	12,009	18,726	27,195	39,221
Illinois	147,518	103,789	163,013	245,072	329,706	432,865
Indiana	76,386	41,836	66,780	98,553	139,438	197,189
Iowa	71,789	22,459	37,850	58,515	84,308	122,642
Kansas	40,263	22,133	34,770	52,283	74,297	107,380
Kentucky	193,559	68,780	120,300	173,743	226,321	284,565
Louisiana	201,090	114,600	178,552	246,566	311,436	380,609
Maine	18,403	10,067	16,489	25,913	39,236	58,738
Maryland	55,716	43,120	66,735	94,072	125,879	166,573
Massachusetts	47,065	42,679	64,045	96,985	134,167	180,340
Michigan	124,712	85,713	126,146	179,282	237,762	310,645
Minnesota	77,280	31,885	51,491	79,617	114,539	156,608
Mississippi	254,903	98,695	152,715	213,222	265,059	313,613
Missouri	125,159	59,163	95,193	142,468	194,762	259,226
Montana	14,106	8,182	13,831	20,577	28,711	39,630
Nebraska	34,411	15,831	25,413	38,040	54,918	78,034
Nevada	3,230	3,964	6,417	9,474	13,433	18,597
New Hampshire	5,932	4,538	7,392	11,354	16,516	24,967
New Jersey	59,845	57,733	86,145	128,969	179,648	241,374
New Mexico	37,554	27,942	43,763	61,645	81,417	103,863
New York	200,060	194,566	292,498	434,158	591,406	787,825
North Carolina	325,096	99,224	166,805	246,608	339,081	441,494
North Dakota	26,346	8,065	12,899	21,389	31,211	43,965
Ohio	151,895	104,125	162,993	228,475	301,955	401,109
Oklahoma	84,779	37,316	66,465	101,189	138,118	182,640
Oregon	23,933	19,583	31,382	45,635	62,936	84,998
Pennsylvania	175,394	102,040	160,892	243,605	341,857	476,012
Rhode Island	12,083	8,805	13,857	20,178	27,002	37,125
South Carolina	323,096	99,224	111,118	159,165	210,889	267,278
South Dakota	30,712	10,763	18,095	27,933	38,420	52,224
Tennessee	220,048	81,832	133,221	199,368	268,781	345,788
Texas	398,217	192,639	318,420	482,082	657,156	854,462
Utah	11,680	9,638	16,438	24,448	32,639	44,564
Vermont	7,208	5,489	5,627	9,162	13,853	20,682
Virginia	167,784	67,779	111,847	167,405	229,493	305,263
Washington	33,072	29,722	45,577	69,977	92,980	122,887
West Virginia	106,406	35,484	60,463	87,417	114,309	145,070
Wisconsin	58,446	34,579	56,441	84,361	115,536	158,723
Wyoming	5,408	3,314	5,408	7,904	11,428	16,039
District of Columbia	14,854	13,031	20,178	29,130	39,890	51,963
TOTAL	4,948,119	2,645,633	4,211,688	6,190,433	8,357,452	10,982,336

RELIANCE ON AFDC UNDER TITLE I

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	Per Capita Income		AFDC Children Under Title I*		
	1970 Census	Ranking	F.Y. 1973	%	Ranking
New York	5,606	1	565,963	69.7	3
Connecticut	4,995	2	47,116	65.9	5
Alaska	4,875**	3	4,723	46.6	18
Nevada	4,822	4	2,427	38.4	23
New Jersey	4,811	5	170,877	71.4	1
Illinois	4,775	6	207,392	62.9	6
Hawaii	4,738	7	13,902	60.2	7
Delaware	4,673	8	5,711	40.2	22
California	4,640	9	560,993	70.4	2
Massachusetts	4,562	10	118,674	69.4	4
Maryland	4,522	11	59,407	49.2	14
Michigan	4,430	12	194,106	59.4	8
Kansas	4,192	13	23,011	35.2	26
Ohio	4,175	14	137,774	45.7	19
Colorado	4,153	15	37,295	51.0	13
Pennsylvania	4,147	16	246,945	56.3	11
Washington	4,132	17	53,427	57.9	10
Rhode Island	4,126	18	18,308	58.3	9
Minnesota	4,032	19	45,154	35.4	25
Nebraska	4,030	20	15,812	30.8	28
Indiana	4,027	21	51,115	38.1	24
Oregon	3,959	22	26,326	48.7	16
Missouri	3,940	23	37,152	22.3	35
Florida	3,930	24	25,427	14.8	41
Wyoming	3,929	25	2,213	28.0	31
Arizona	3,913	26	17,624	30.3	29
Wisconsin	3,912	27	46,691	41.7	21
Virginia	3,899	28	50,142	22.3	35
Iowa	3,877	29	29,074	28.1	30
New Hampshire	3,796	30	6,698	47.4	17
Texas	3,726	31	79,326	16.4	39
Vermont	3,633	32	6,325	42.8	20
Montana	3,629	33	5,575	27.4	32
Georgia	3,599	34	45,995	15.9	40
North Dakota	3,538	35	5,150	17.6	37
Oklahoma	3,515	36	30,372	25.6	34
Utah	3,442	37	15,058	54.2	12
South Dakota	3,441	38	6,537	16.8	38
North Carolina	3,424	39	39,056	10.6	44
Idaho	3,409	40	6,570	34.0	27
Maine	3,375	41	19,730	49.1	15
Kentucky	3,306	42	32,334	14.1	42
Tennessee	3,300	43	–0–	–0–	48
New Mexico	3,298	44	13,975	26.5	33
West Virginia	3,275	45	14,553	11.8	43
Louisiana	3,252	46	18,778	8.4	45
South Carolina	3,142	47	4,561	2.2	46
Alabama	3,087	48	1,074	.4	47
Arkansas	3,078	49	–0–	–0–	48
Mississippi	2,788	50	–0–	–0–	48

*The first two columns under this heading show the actual numbers and percentages of Title I children by State who are from families receiving AFDC payments in excess o $2,000 a year for fiscal year 1973. The last column shows the ranking by State of a total portion of Title I children who are from these AFDC families for fiscal year 1973.

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Elementary and Secondary Education Act of 1965, P.L. 89–10 As Amended
Title I, Assistance for Educationally Deprived Children

Programs for Neglected and Delinquent Children

	Fiscal Years 1970	1971	1972
LOCAL INSTITUTIONS			
Delinquent Institutions			
Number of Institutions	217		296
No. of Children Counted for Allocation Purposes	14,100		17,029
Total Funds Available	$ 2,449,478	2,726,723	2,919,629
Neglected Institutions			
Number of Institutions	929	932	1,023
No. of Children Counted for Allocation Purposes	52,866	51,784	50,220
Total Funds Available	$ 9,160,338	9,265,292	8,644,873
Correctional Institutions			
Number of Institutions		12	5
No. of Children Counted for Allocation Purposes		714	1,086
Total Funds Available		159,194	242,988
Totals for Local Institutions			
Number of Institutions	$ 1,146	1,180	1,324
No. of Children Counted for Allocation Purposes	66,966	67,674	68,335
Total Funds Available	11,609,816	12,151,209	11,807,468
STATE INSTITUTIONS			
Delinquent Institutions			
Number of Institutions	227	245	256
No. of Children Counted for Allocation Purposes	42,977	44,167	43,246
Total Funds Available	$14,338,580	16,429,824	18,044,829
Neglected Institutions			
Number of Institutions	24	30	31
No. of Children Counted for Allocation Purposes	5,171	4,944	5,404
Total Funds Available	1,667,907	1,764,282	2,167,846
Total for State Institutions			
Number of Institutions	251	275	287
No. of Children Counted for Allocation Purposes	48,148	49,111	48,644
Total Funds Available	$16,006,487	18,194,106	20,212,666
TOTALS FOR STATE AND LOCAL INSTITUTIONS			
Number of Institutions	1,397	1,455	1,611
No. of Children Counted for Allocation Purposes	116,114	116,765	116,979
Total Funds Available	$27,616,363	30,345,115	32,020,126

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Elementary and Secondary Education Act of 1965, P.L. 889–10 As Amended

Title I, Assistance for Educationally Deprived Children
Number of Formula Children at Low Income Level of $2,000

	Fiscal Year 1974
County—	
In low-income families (Children aged 5 to 17)	2,645,820
AFDC	3,338,328
Delinquents	17,735
Corrective Institution	1,660
Neglected	48,703
In foster homes	195,021
Subtotal, County	6,247,267
State—Average Daily Attendance	
Handicapped	166,415
Juvenile Delinquents	34,880
Dependent and Neglected	3,771
Migrant	162,480
Adult Correctional	11,690
Subtotal, State	379,236
Total Number of Children [1] Counted for Intitlement	6,626,503

[1] Does not include outlaying areas.

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE
OFFICE OF EDUCATION
WASHINGTON, D.C. 20202

August 8, 1973

(ADDRESSED TO CHIEF STATE SCHOOL OFFICERS)

As I promised in my previous letter of July 13, I am continuing to keep you informed of decisions regarding the U.S. Office of Education fiscal plan and our interim provisions for funding under the Joint Resolution (P.L. 93–52). You are already aware of our decisions on Title I and V–A of the Elementary and Secondary Education Act, and Title III of the National Defense Education Act. The Department is making the following additional, interim provisions available for continuing operations. A distribution of these funds by State is provided in tables in the enclosures.

	Annual Rate	First Quarter Allocation
Education for the Handicapped Act, Part B	$ 37,500,000	$ 9,375,000
Vocational Education Act, Part B and Smith-Hughes Act (permanent appropriation) Basic vocational education programs	383,843,455	95,960,864
VEA, Section 102 (b), Programs for students with special needs	20,000,000	5,000,000
VEA, Part F, Consumer and homemaking education	25,625,000	6,406,250
VEA, Part G, Cooperative education	19,500,000	4,875,000
VEA, Part H, Work-study	6,000,000	1,500,000
VEA, Section 104 (b), State Advisory Councils on Vocational Education	2,690,000	672,500
VEA, Part D, Innovation	8,000,000	2,000,000
VEA, Part C, Research—Grants to States	9,000,000	2,250,000
Adult Education Act, Grants to States	51,134,000	12,783,500
Elementary and Secondary Education Act, Title III, Supplementary Services	126,081,067	31,520,267
Total	689,373,522	172,343,381

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Estimated Distribution of Funds—FY 1974
Cooperative Education—(VEA—Part G)
(Interim Funding under Joint Resolution—P.L. 93-52)

State or Outlying Area	Annual Rate	First Quarter Allocation
TOTAL	$ 19,500,000	$ 4,875,000
Alabama	355,934	88,984
Alaska	213,772	53,443
Arizona	230,855	70,213
Arkansas	282,188	70,547
California	1,036,931	259,245
Colorado	301,291	75,323
Connecticut	322,171	80,543
Delaware	223,990	55,997
Florida	469,220	117,305
Georgia	403,470	100,868
Hawaii	234,652	58,663
Idaho	234,652	58,663
Illinois	658,474	164,618
Indiana	427,460	106,865
Iowa	323,059	80,765
Kansas	298,625	74,657
Kentucky	343,051	85,763
Louisiana	370,151	92,538
Maine	242,649	60,662
Maryland	367,485	91,871
Massachusetts	434,568	108,642
Michigan	600,720	150,180
Minnesota	371,039	92,760
Mississippi	305,289	76,322
Missouri	395,473	98,868
Montana	232,431	58,108
Nebraska	265,306	66,326
Nevada	219,547	54,887
New Hampshire	230,210	57,552
New Jersey	485,213	121,303
New Mexico	249,757	62,439
New York	906,813	226,704
North Carolina	432,347	108,086
North Dakota	229,765	57,441
Ohio	662,027	165,507
Oklahoma	310,176	77,544
Oregon	293,294	73,324
Pennsylvania	688,239	172,060
Rhode Island	239,095	59,774
South Carolina	325,281	81,320
South Dakota	231,987	57,997
Tennessee	369,706	92,427
Texas	701,566	175,392
Utah	254,644	63,661
Vermont	219,992	54,998
Virginia	404,358	101,090
Washington	349,271	87,317
West Virginia	275,968	68,992
Wisconsin	396,362	99,090
Wyoming	215,549	53,887
District of Columbia	228,877	57,219
American Samoa	5,685	1,421
Guam	14,819	3,705
Puerto Rico	536,355	134,089
Trust Territory	18,435	4,609
Virgin Islands	9,706	2,426

Estimated Distribution of Funds—FY 1974
Work-Study—(VEA—Part H)
(Interim Funding under Joint Resolution—P.L. 93-52)

State or Outlying Area	Annual Rate	First Quarter Allocation
TOTAL	$ 6,000,000	$ 1,500,000
Alabama	104,726	26,131
Alaska	9,659	2,414
Arizona	54,905	13,726
Arkansas	55,159	13,790
California	572,379	143,045
Colorado	69,393	17,348
Connecticut	82,103	20,526
Delaware	16,268	4,067
Florida	181,999	45,500
Georgia	138,279	34,570
Hawaii	24,148	6,037
Idaho	23,131	5,783
Illinois	309,856	77,464
Indiana	153,276	38,319
Iowa	82,865	20,716
Kansas	67,106	16,777
Kentucky	97,863	24,466
Louisiana	115,402	28,851
Maine	28,723	7,181
Maryland	113,368	28,342
Massachusetts	160,139	40,035
Michigan	269,186	67,297
Minnesota	114,893	28,723
Mississippi	71,173	17,793
Missouri	132,432	33,108
Montana	21,606	5,401
Nebraska	44,229	11,057
Nevada	13,218	3,304
New Hampshire	20,843	5,211
New Jersey	191,150	47,787
New Mexico	33,045	8,261
New York	478,891	119,723
North Carolina	159,885	39,971
North Dakota	20,081	5,020
Ohio	310,364	77,591
Oklahoma	74,477	18,619
Oregon	62,276	15,569
Pennsylvania	327,649	81,912
Rhode Island	27,198	6,799
South Carolina	86,678	21,670
South Dakota	21,352	5,338
Tennessee	115,402	28,850
Texas	341,121	85,280
Utah	36,857	9,215
Vermont	13,472	3,368
Virginia	140,820	35,205
Washington	101,675	25,419
West Virginia	51,092	12,773
Wisconsin	132,432	33,108
Wyoming	10,168	2,542
District of Columbia	20,589	5,148
American Samoa	921	230
Guam	2,619	655
Puerto Rico	87,036	21,759
Trust Territory	3,007	752
Virgin Islands	1,616	404

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Allocations Under The P.L. 89–313 Amendment to Title I, ESEA, for State Operated and State Supported Schols for Handicapped Children Fiscal Years 1969, 1970, 1971 and 1972

	FY 1969	FY 1970	FY 1971	FY 1972
TOTALS	$29,742,618	$37,482,838	$46,129,772	$56,380,937
Alabama	332,625	382,188	409,757	560,648
Alaska	----	----	----	----
Arizona	241,556	291,234	338,212	373,893
Arkansas	354,004	453,671	613,437	906,163
California	999,012	1,153,713	1,349,565	1,477,445
Colorado	668,581	844,916	979,378	1,146,605
Connecticut	854,767	990,789	1,083,532	1,220,152
Delaware	314,404	393,015	438,665	577,485
District of Columbia	354,621	408,462	447,421	554,514
Florida	698,290	960,675	1,195,724	1,322,239
Georgia	294,587	344,214	394,353	474,365
Hawaii	149,538	134,584	188,562	212,443
Idaho	91,347	99,222	117,073	137,286
Illinois	760,735	1,665,034	1,850,518	3,065,108
Indiana	909,026	1,154,219	1,423,024	1,766,309
Iowa	410,089	459,054	589,427	634,115
Kansas	455,566	508,358	612,753	866,665
Kentucky	228,506	260,304	280,018	455,958
Louisiana	740,770	942,607	1,141,295	1,344,864
Maine	130,218	152,201	375,867	452,890
Maryland	376,775	454,222	504,399	589,707
Massachusetts	1,258,961	1,741,497	2,396,490	2,504,434
Michigan	1,472,757	1,955,377	2,368,323	2,841,841
Minnesota	825,404	897,270	928,711	890,344
Mississippi	139,103	157,101	179,718	302,182
Missouri	1,108,379	1,308,870	1,504,154	1,602,563
Montana	163,042	183,249	181,087	202,861
Nebraska	219,621	239,480	278,306	289,527
Nevada	20,367	39,787	94,823	115,044
New Hampshire	198,242	194,769	218,742	243,510
New Jersey	1,561,753	1,893,047	2,406,007	3,340,931
New Mexico	231,560	263,979	281,729	298,731
New York	3,806,672	4,731,630	5,881,396	7,253,392
North Carolina	907,916	1,227,410	1,471,634	1,870,999
North Dakota	137,437	186,500	217,716	312,536
Ohio	454,513	472,222	568,594	638,494
Oklahoma	227,085	312,977	404,280	497,757
Oregon	347,218	367,347	427,999	854,152
Pennsylvania	2,346,496	2,898,870	3,942,668	4,575,784
Rhode Island	184,355	223,842	334,834	402,390
South Carolina	299,029	406,687	679,163	824,482
South Dakota	127,164	144,852	157,467	190,973
Tennessee	375,938	421,386	520,326	633,892
Texas	915,412	1,104,608	2,015,238	2,243,741
Utah	315,966	233,967	283,783	317,521
Vermont	217,955	287,050	293,368	291,828
Virginia	473,671	564,400	615,149	735,515
Washington	870,068	1,086,790	993,920	1,287,421
West Virginia	212,125	272,860	281,387	379,645
Wisconsin	552,981	1,212,905	1,387,089	1,730,025
Wyoming	84,581	100,451	134,568	167,297
Puerto Rico	242,944	266,429	310,142	358,554
Guam	28,876	32,547	37,981	43,717

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Relationship of State Compensatory Education Funds To Title I Comparability Determination

State	State Provides Funds for Comp. Education: Yes	State Provides Funds for Comp. Education: No	Common Names for State Programs	Amounts Provided Annually: 1973	Amounts Provided Annually: 1974	No. LEAs Receiving Funds
Alabama		X				
Alaska		X				
Arizona		X				
Arkansas		X				
California	X		Educationally Disadvantaged Youth Program (S.B. 90) Early Childhood Education Bilingual Ed. Act Miller-Unruh Basic Reading Act of 1965 Demonstration Programs/ in Intensive Instruction Reading and Mathematics Designated Areas of Disadvantaged Special Teacher Employment Program Professional Development and Program Improvement Act of 1968	25,000,000	141,250,000	
Colorado		X				
Connecticut	X		State Act for Disadvantaged Children	7,000,000	7,000,000	165
Delaware		X				
Florida	X		State Compensation Education Program	.....	5,916,192	67
Georgia		X				
Hawaii	X			1,600,000	1,600,000	
Idaho		X				
Illinois		X				
Indiana		X				
Iowa		X				
Kansas		X				
Kentucky		X				
Louisiana		X				
Maine		X				
Maryland	X		Density Aide to Baltimore	10,000,000	10,000,000	1
Massachusetts		X				
Michigan	X		Chapter 3 of the State Aid Act	22,500,000	22,500,000*	67
Minnesota		X				
Mississippi		X				
Missouri		X				
Montana		X				
Nebraska		X				
Nevada		X				
New Hampshire		X				
New Jersey		X				
New Mexico		X				
New York	X		State Urban Education Aid Program	47,000,000	47,000,000	30
North Carolina		X				
North Dakota		X				
Ohio	X		Disadvantaged Pupil Program Fund	33,337,400	33,337,400	384
Oklahoma		X				
Oregon	X		Portland Model Schools	1,000,000	1,000,000	1
Pennsylvania		X				
Rhode Island	X		Charter 160 "Sect. 4" of Public laws of 1967 as amended by Chapter 170, Public Laws of 1968	2,000,000	2,000,000	40
South Carolina		X				
South Dakota		X				

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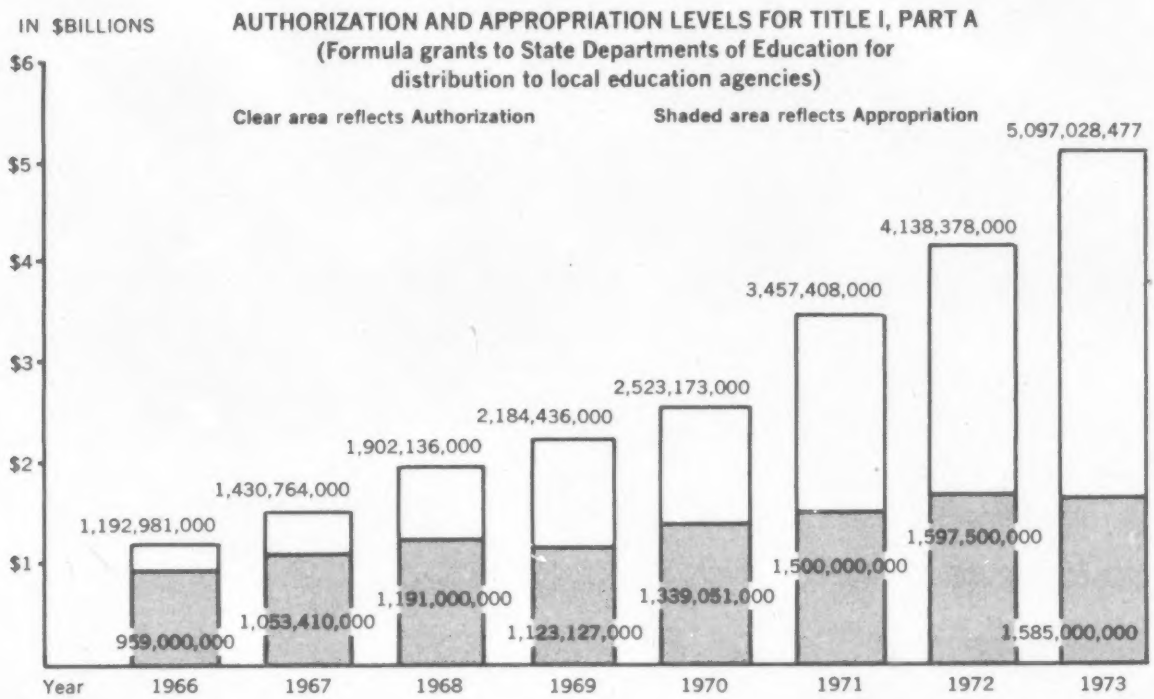
State	State Provides Funds for Comp. Education: Yes	State Provides Funds for Comp. Education: No	Common Names for State Programs	Amounts Provided Annually: 1973	Amounts Provided Annually: 1974	No. LEAs Receiving Funds
Tennessee		X				
Texas		X				
Utah	X		State Compensatory Education Act	600,000**	----	40
Vermont		X				
Virginia		X				
Washington	X		Culturally Disadvantaged Program Urban-Rural Racial Disadvantaged Program	7,500,000	8,100,000	206
West Virginia		X				
Wisconsin	X		Teacher Aides and Language Skills Centers Milwaukee	4,225,000	8,111,000	
Wyoming		X				

*Less an amount which will be deducted from local districts for failure to make certain levels of achievement.
**Will not be allocated until 1974.

California indicated that LEAs were having difficulty demonstrating comparability because such funds are required to be included as State and Local Expenditures.

In answer to the question how many school districts were having difficulties, the response was that a survey is now being conducted by the California State Department of Education.

Florida has asked if State Comparability Funds could be disregarded in determining comparability.



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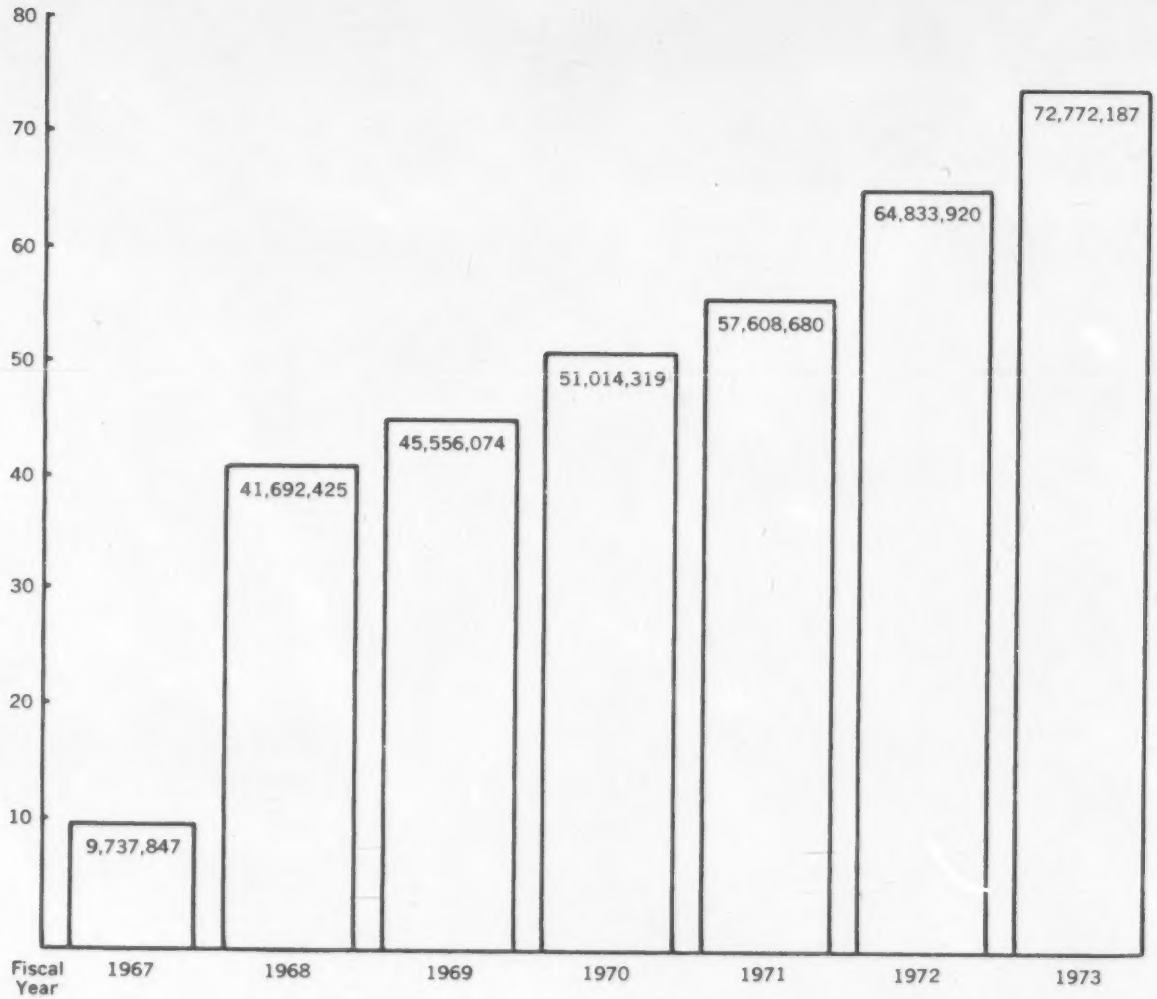
TITLE I APPROPRIATIONS FOR PROGRAMS FOR MIGRANT CHILDREN

(in $10 millions)



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Latest data available from Dr. Richard Fairley on the Urban emphasis of Title I allocations
Compiled by Carolyn Horner

Areas	Children cited for Entitlement		Allocation		% of Allocation	
	1970	1971	1970	1971	1970	1971
130 Largest: Population Over 100,000	2,099,777	2,358,492	392,704,782	453,933,583	32.2%	33.9%
Other Urban	1,904,485	2,043,867	315,894,342	348,329,837	25.9%	26.0%
TOTAL URBAN	4,004,262	4,402,359	708,599,124	802,263,420	58.1%	59.9%
Rural	2,948,006	3,011,960	474,558,325	497,780,058	38.9%	37.1%
Outlying Parts & BIA	....	....	36,008,079	39,617,484	3.0%	3.0%
TOTAL	6,952,268	7,414,319	1,219,165,528	1,399,660,962	100.0%	100.0%

**FY 1973	Total:	8,476,248	
	1960 Census	4,948,119	58.4%
	AFDC	3,269,183	38.6%
	State Agency	?	3.0%

Elementary and Secondary Education Act of 1965, P.L. 89-10 As Amended
Title I, Assistance for Educationally Deprived Children
Amount Available Under Part B
Special Incent e Grants
FY 1974

50 States and D.C.	$17,855,113
Alabama	00
Alaska	493,314
Arizona	00
Arkansas	00
California	160,932
Colorado	44,160
Connecticut	313,295
Delaware	44,436
Florida	00
Georgia	00
Hawaii	00
Idaho	00
Illinois	00
Indiana	125,796
Iowa	724,284
Kansas	00
Kentucky	00
Louisiana	1,000,433
Maine	447,714
Maryland	325,682
Massachusetts	00
Michigan	2,678,267
Minnesota	2,346,017
Mississippi	00
Missouri	00
Montana	256,827
Nebraska	00
Nevada	00
New Hampshire	00
New Jersey	1,277,454
New Mexico	299,317
New York	2,678,267
North Carolina	00
North Dakota	00
Ohio	00
Oklahoma	00
Oregon	652,371
Pennsylvania	630,042
Rhode Island	00
South Carolina	00
South Dakota	101,179
Tennessee	00
Texas	00
Utah	198,953
Vermont	366,412
Virginia	00
Washington	946,568
West Virginia	65,907
Wisconsin	1,513,569
Wyoming	163,917
Dist. of Columbia	00

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Elementary and Secondary Education Act of 1965, P.L. 89-10 As Amended
Title I, Assistance for Educationally Deprived Children
Number of Children Counted for Entitlements for State Educational Agencies
Fiscal Year 1973

	Number of Children					
	Total	Handicapped	Juvenile Delinquents	Dependent and Neglected	Adult Correctional	Migratory
STATE	379,653	157,997	39,722	4,789	14,665	162,480
Alabama	3,554	1,502	433	-0-	83	1,536
Alaska	1,609	1,476	133	-0-	-0-	-0-
Arizona	6,339	991	774	-0-	30	4,544
Arkansas	4,637	2,178	588	-0-	248	1,623
California	30,329	4,119	3,875	-0-	575	21,760
Colorado	6,616	2,866	356	39	65	3,290
Connecticut	4,605	2,750	188	102	277	1,288
Delaware	2,075	1,148	294	-0-	29	604
Florida	30,233	3,611	1,493	-0-	1,057	24,072
Georgia	4,239	1,522	1,128	-0-	428	1,161
Hawaii	554	494	44	16	-0-	-0-
Idaho	2,553	373	162	-0-	54	1,964
Illinois	11,400	8,191	1,210	299	280	1,420
Indiana	7,640	4,650	713	384	317	1,576
Iowa	2,350	1,505	288	193	150	214
Kansas	4,423	2,571	296	-0-	160	1,396
Kentucky	1,840	1,403	-0-	-0-	245	192
Louisiana	6,816	4,741	953	-0-	67	1,055
Maine	1,841	1,255	274	28	144	140
Maryland	5,785	2,524	1,121	-0-	370	1,770
Massachusetts	8,534	7,143	631	-0-	135	625
Michigan	20,153	10,018	884	27	1,029	8,195
Minnesota	3,647	1,924	638	-0-	252	833
Mississippi	3,823	977	515	-0-	84	2,247
Missouri	6,247	4,102	910	-0-	231	1,004
Montana	2,829	625	204	109	7	1,884
Nebraska	1,833	742	203	68	195	625
Nevada	621	232	242	-0-	63	84
New Hampshire	1,028	761	180	-0-	35	52
New Jersey	11,949	6,824	1,326	-0-	105	3,694
New Mexico	3,313	761	303	-0-	53	2,196
New York	19,785	12,556	2,434	-0-	996	3,799
North Carolina	11,048	4,837	1,931	-0-	942	3,338
North Dakota	2,388	589	122	-0-	30	1,647
Ohio	16,994	10,608	2,166	330	615	3,275
Oklahoma	4,419	1,446	403	486	414	1,670
Oregon	6,845	2,432	505	-0-	148	3,760
Pennsylvania	14,758	11,116	1,394	500	519	1,229
Rhode Island	1,203	1,017	66	64	50	6
South Carolina	5,645	2,404	670	168	1,012	1,391
South Dakota	1,057	813	142	-0-	21	81
Tennessee	4,747	1,864	1,239	728	220	696
Texas	53,374	7,879	2,308	711	506	41,970
Utah	1,755	878	274	-0-	33	570
Vermont	1,761	1,534	181	-0-	32	14
Virginia	6,777	2,862	1,373	-0-	860	1,682
Washington	8,276	2,863	797	-0-	182	4,434

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	Number of Children					
	Total	Handicapped	Juvenile Delinquents	Dependent and Neglected	Adult Correctional	Migratory
West Virginia	2,192	1,046	490	60	144	452
Wisconsin	6,565	4,063	1,031	92	349	1,030
Wyoming	987	381	115	61	38	392
District of Columbia	2,557	1,500	548	324	185	–0–
American Samoa	–0–	–0–	–0–	–0–	–0–	–0–
Guam	112	112	–0–	–0–	–0–	–0–
Puerto Rico	2,961	1,218	1,142	–0–	601	–0–
Trust Territories	–0–	–0–	–0–	–0–	–0–	–0–
Virgin Islands	32	–0–	32	–0–	–0–	–0–

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Number of Children on Whom Allocations were Based by Type of Handicap Funded Under P.L. 89-313, Amendment to Title I, ESEA
Fiscal Years 1971 and 1972

	TOTALS		VISUALLY HANDICAPPED		DEAF		MENTALLY RETARDED		CRIPPLED SPECIAL HEALTH		EMCTIONALLY DISTURBED	
	1971	1972	1971	1972	1971	1972	1971	1972	1971	1972	1971	1972
TOTALS	121,568	131,831	7,800	7,942	20,242	21,439	71,304	77,330	4,830	8,588	17,130	16,532
Alabama	1,197	1,462	236	214	471	455	490	787	....	6	....	....
Arkansas	1,792	2,363	173	179	324	321	....	....	....	....	....	....
Arizona	988	975	118	113	271	300	465	450	53	33	81	79
Arkansas	1,792	2,363	173	179	324	321	1,003	1,519	52	85	240	259
California	3,771	3,764	120	131	1,013	998	1,817	1,807	96	69	725	759
Colorado	2,861	2,990	76	75	212	213	2,335	2,434	....	....	238	268
Connecticut	2,633	2,667	106	112	499	523	1,812	1,829	64	63	152	140
Delaware	1,204	1,369	31	27	103	119	743	843	174	205	153	175
Dist. of Col.	1,222	1,217	46	42	148	26	494	671	210	269	124	209
Florida	3,493	3,448	220	205	538	553	2,553	2,510	....	....	182	180
Georgia	1,152	1,237	189	188	488	561	424	439	....	....	53	49
Hawaii	518	521	11	8	115	134	231	227	138	126	23	26
Idaho	342	358	28	33	118	110	196	215	....	....	....	....
Illinois	5,032	6,986	190	189	463	472	3,239	4,724	85	92	1,055	1,509
Indiana	4,157	4,606	182	192	659	552	2,867	3,471	116	93	333	298
Iowa	1,689	1,610	151	139	340	402	974	882	51	50	173	137
Kansas	1,790	2,260	127	123	407	402	677	1,160	84	114	495	461
Kentucky	818	1,189	128	129	309	301	360	739	....	....	21	20
Louisiana	3,334	3,507	239	232	480	592	2,287	2,336	149	180	179	167
Maine	1,098	1,181	37	38	150	182	546	812	78	93	287	56
Maryland	1,338	1,350	720	216	310	302	480	502	....	....	328	330
Massachusetts	6,536	6,383	217	210	1,155	1,241	3,044	2,843	219	406	1,901	1,683
Michigan	6,072	6,490	290	290	405	401	4,035	4,966	....	....	1,342	833
Minnesota	2,346	1,992	84	71	258	268	1,721	1,414	53	54	230	185
Mississippi	525	788	154	160	301	309	....	256	70	63	....	....
Missouri	4,394	4,179	192	187	338	341	3,139	2,652	....	....	725	999
Montana	529	529	30	70	89	91	400	351	....	....	10	17
Nebraska	813	755	66	62	160	158	436	440	17	20	134	75
Nevada	277	300	10	10	17	17	249	272	1	1	....	....
New Hampshire	639	635	376	5	114	137	79	335	54	55	16	103
New Jersey	5,461	6,742	154	458	554	1,200	3,349	3,769	377	438	1,027	877
New Mexico	823	779	140	121	218	230	396	365	21	20	48	43
New York	10,192	11,466	521	573	1,853	1,49[illegible]	5,141	5,503	436	2,752	2,241	1,147
North Carolina	4,299	4,879	413	433	926	1,051	2,399	2,619	180	310	381	502
North Dakota	636	815	35	33	94	100	432	634	....	....	75	48
Ohio	1,661	1,665	174	161	243	258	995	998	....	....	249	248

Oklahoma	1,181	1,298	118	130	368	383	673	774	7	11	15	....
Oregon	1,104	1,957	94	138	260	545	555	1,094	95	82	100	98
Pennsylvania	10,994	10,939	587	547	1,199	1,422	6,150	5,251	934	1,496	2,124	2,223
Rhode Island	858	900	26	32	98	124	582	432	8	9	144	303
South Carolina	1,984	2,150	161	166	366	372	1,438	1,592	19	20	....	....
South Dakota	460	498	50	70	120	127	180	155	110	146	....	....
Tennessee	1,520	1,653	209	211	390	367	607	715	....	....	314	360
Texas	5,887	5,851	234	249	1,499	1,399	3,649	3,780	75	94	430	329
Utah	829	828	77	72	280	246	410	446	....	....	62	64
Vermont	857	761	19	19	137	91	553	558	85	35	63	58
Virginia	1,797	1,918	248	297	508	530	577	559	347	424	117	108
Washington	2,815	3,114	161	168	339	338	2,195	2,418	72	67	48	123
West Virginia	822	990	141	153	213	203	314	422	48	102	106	110
Wisconsin	3,644	4,063	164	167	178	201	2,965	2,560	16	322	321	813
Wyoming	378	405	9	10	45	51	288	309	....	....	36	35
Guam	100	114	....	....	6	6	94	108	....	....	....	....
Puerto Rico	906	935	100	84	275	259	266	383	236	183	29	26
Virgin Islands	....	....	....	....	....	....	....	....	....	....	....	....

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APPENDIX C

PARENT QUESTIONNAIRE

NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN

PARENT ADVISORY COUNCILS

1. Does the school your child attends have a parent adviso. council?

2. If so, how were the members chosen?

3. How many parents are members?

4. How many school staff people are members?

5. Does your entire school district have a parent advisory council?

6. How were the members of this district council chosen?

7. How many parents are members of the district council?

8. How many school staff people are members of the district council?

9. Do the parent members of parent advisory councils receive any training? Can you explain what it is?

10. Do school staff members of parent advisory councils receive any training? Can you explain what it is?

11. Are members of parent advisory councils given anything in writing to guide their work? What?

12. Are the members of parent advisory councils paid for the expenses they may have in attending meetings?

    Transportation? _____ Baby sitters? _____

    Meals? _____ Other? _____

13. Do you feel that PACs make any difference in the learning of children in Title I programs? _____

    How do you explain this? _____

    Any concrete data? _____

14. Would you develop PACs in your Title I schools if they were not required by federal legislation? Why?

15. Any further comments about PACs?

PARENT ADVISORY COUNCILS

1. How many schools in your district have Title I programs?

_____

2. How many of the Title I schools have parent advisory councils (PACs) for individual schools?

_____

3. How are the members selected?

_____

Average number of members _____ Number of parents _____

Number of professional staff _____

4. Do you have a district PAC?

_____

5. How are the members of district PACs selected? Explain?

_____

_____

_____

How many members? _____ Number of parents _____

Number of professional staff? _____

6. Do you have any training program for Parent members of PACs? Explain?

_____

_____

7. Do you have any training programs for professional staff (Teachers and principals) at schools with PACs? Explain?

_____

_____

_____

8. Do you publish any "handbook" of procedures to guide the work of PACs?

_____

_____

_____

9. Do you furnish PAC members any official materials in simplified language (e.g federal regulations)?

What? _____

10. Do you try to stimulate interaction between PAC members and others in the community?

How? _____

11. Do you reimburse PAC members for expenses in connection with meetings?

Parents? _____ Professional Staff? _____

12. Do you furnish PAC members any fee in addition to expenses?

Parents? _____ Professional Staff? _____

13. Are the members of parent advisory councils paid any fee in addition to their expenses?

14. Do you feel that parent advisory councils make any difference in how well children learn under Title I programs? How do you explain this?

15. Any further comments about parent advisory councils?

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